



Ontario

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P11

## Report of the Hearing Officers

# Parkway Belt West

Multi-purpose utility corridor,  
urban separator and  
linked open space system.

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Ontario

## Parkway Belt West Hearing

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P11

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A.B. Ball, Hearing Officer  
W.E. Dyer, Q.C., Hearing Officer

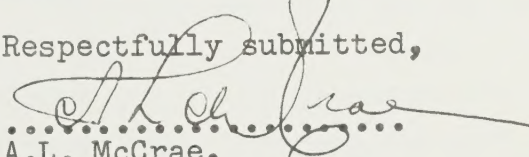
W.E. Bullock  
Secretary

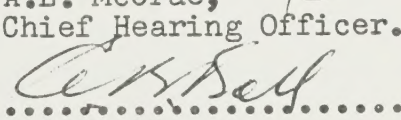
The Honourable W.D. McKeough,  
Treasurer of Ontario and  
Minister of Economics and  
Intergovernmental Affairs,  
Queen's Park,  
TORONTO, Ontario.

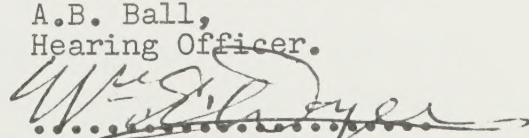
Dear Mr. McKeough,

On the 10th day of February, 1976, pursuant to Section 6 of the Ontario Planning and Development Act S.O. 1973, c.51, as re-enacted by S.O. 1974, c.50, we were appointed Chief Hearing Officer and Hearing Officers respectively for the purpose of conducting one or more hearings for receiving representations respecting the contents of the proposed Parkway Belt West Plan and to submit a Report in the terms as set out in that appointment. Having performed the duties required of us we are pleased to submit the following Report and Recommendations.

Respectfully submitted,


  
.....  
A.L. McCrae,  
Chief Hearing Officer.

  
.....  
A.B. Ball,  
Hearing Officer.

  
.....  
W.E. Dyer, Q.C.,  
Hearing Officer.

Dated at Toronto  
this 7<sup>th</sup> day of  
February, 1977.





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## PREFACE

The role of the Hearing Officers as set forth in their appointments of 10th February, 1976, over the signature of the Honourable the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs was to conduct one or more hearings for the receiving of representations respecting the contents of the proposed Parkway Belt West Plan, and not more than three months after the last hearing held, to report to the Minister a summary of the representations made together with a report stating whether the Plan should be accepted, rejected, or modified. A copy of the appointment is contained in the appendix of this report. Considerable interest was shown in the proceedings at all times and it can be said with certainty that there was a very high level of public input, and careful consideration given to such by the Hearing Officers in the drafting of this Report.

The Parkway Belt West Draft Plan represents a new concept in planning for the Province, and the hearing function itself reflected this in its Rules of Procedure intentionally permitting the widest latitude to any of those seeking to make submissions before the Hearing Panel.

In addition we were faced with the responsibility of staffing and setting up an administrative system capable of processing submissions and enquiries from the date of appointment to the actual time of hearing. Many staffing problems were encountered at the outset, but we are indebted to Mrs. Marion Puff and Mr. William Thomson, who occupied the position of Secretary to the Hearing Officers at the very outset, and were of great assistance in getting the operation off the ground.

Well before the hearings began and in time to set up the administrative process finally decided upon, we were fortunate to retain Mr. W. E. Bullock as our secretary, and he has been a tower of strength to the Hearing Officers in helping to bring this Report to fruition.



Whatever the final disposition of this report with its recommendations may be, we are satisfied that it represents a conscientious effort to meet both the legitimate and necessary requirements of the public good and at the same time recognizes the aspirations of the private sector when it was shown that so to do would not be detrimental to the proposal put forward.

We would be remiss were we not to mention the cooperation given the Hearing Officers and indeed the public by the Provincial Presenting Panel headed by Mr. D. F. Taylor. At each and every session of the Hearing, they appeared, sometimes hours before the actual hearing, in order to answer any questions that might be raised by an interested citizen. On other occasions they stayed behind to perform the same function when such was requested of them. Undoubtedly such enlightenment assisted many individuals in making their presentation, and indeed in some instances after explanation, it was felt by them that it was not necessary to make a formal appearance.



## THE PLAN

The Parkway Belt West Plan is to say the least a most complex planning document. It comprises Sections 1 to 6 of the text including some forty-one pages, and Maps 1 to 8 inclusive. Within it are described the location, the goals, the objectives and policies of the Western Section of the Parkway Belt System. It covers an area of some ninety square miles lying between Dundas and Highway 48 in the Town of Markham. The appendix to the Plan, which incidentally does not constitute part of it, contains a summary of the process of the Plan preparation, approval, amendment, and review, as well as the historical background and the philosophy of the Parkway Belt System, the rationale for the Plan, the recreation and trail system, and the bibliography of related publications.

It was stated by many at the hearing, as did the Report of the Municipal Advisory Committee on the Proposed Parkway Belt West Plan dated July 1975, and the Parkway Belt West Interested Groups and Residents Advisory Committee Report dated March 1975, that the name Parkway Belt should be changed to more properly reflect its function as a multi-purpose utility corridor. It is quite clear however that the name Parkway Belt has become synonymous with that which is proposed, both in printed publication and Government utterances extending over many years. The decision made at Ministerial level was that to change the name at this time could only confuse a large number of those involved in the project or coming within it. The cover of the

Plan, however, does refer to the multi-purpose utility corridor, urban separator, and linked open space system.

During the course of the Hearing we were informed by the Provincial Presenting Panel that the Parkway Belt System is a major structural element of the Toronto-Centered Region Concept that among other things provides for urban areas physically arranged in two tiers, to the west and east of Toronto, with the Parkway Belt as the dividing line spine for this integrated system of urban areas between Hamilton, Toronto, and Oshawa. It must be pointed out of course, that we are not dealing with the section lying between Markham on the west and Oshawa on the east. The roots of the present Plan have a very long history, finding their origin in the Metropolitan Toronto and Region Transportation Study initiated by the Province in 1962 in conjunction with Metropolitan Toronto, the Toronto Transportation Commission, and the two national railways. Initially the study was designed as a conventional transportation study to provide a basis for solving current transportation problems. Before long it became very apparent that the transportation issues could only be rationally examined and effective solutions found if they were viewed within the much broader and more comprehensive setting of a regional growth strategy. For this reason, the initial terms of reference given for the transportation study were broadened by the Government to permit an examination of possible future growth forms for the region. Over the next four years many alternative



features of the study were examined and four were selected as possible courses of action. These four alternatives were called Goals Plans. Although the four Goals Plans varied considerably in shape, there was one element common to three of them; a linear corridor called the Parkway Belt extending generally from Hamilton to Oshawa. In the publication of the Metropolitan Toronto and Region Transportation Study, which we shall refer to as MTARTS titled "Choices for a Growing Region", the purpose of the Parkway Belt could be stated as assisting in the shaping of urban communities, providing space for existing, and future transportation facilities and utilities, providing additional public open space for anticipated population growth, and also space flexibility within the region to accomodate probable future land needs not as yet currently identifiable. In modern parlance we are talking about a multi-purpose corridor.

It is readily apparent from the documentation filed and the statements made during the lengthy course of the hearing, that the Parkway Belt West Draft Plan came into being after extensive study and testing by the many differing agencies and groups engaged in its completion over a good many years.

On page four of the Draft Plan are listed the four goals of the Parkway Belt System, and on page five we find the objectives. It was explained that the goals and objectives are interrelated and should be read together. The four goals are as follows:



#### COMMUNITY IDENTIFICATION

Separate and define the boundaries of urban areas, thus helping to provide the residents with a sense of community identification.

#### INTEGRATION OF TWO-TIER SYSTEM OF URBAN AREAS

Link urban areas with each other and with areas outside the region by providing space for movement of people, goods, energy and information without disrupting community integrity and function.

#### LAND RESERVE FOR FUTURE FLEXIBILITY

Provide a land reserve for future linear facilities and for unanticipated activities requiring sites of high accessibility and substantial land area.

#### LINKED OPEN SPACE FRAMEWORK

Provide a system of open space and recreational facilities linked with each other and with nearby communities and with other regional recreational areas.

The objectives which are listed on page five and six are not necessary to reiterate, but do set forth the plan or procedure for implementing the goals already referred to. It perhaps should be pointed out that because the Parkway Belt West is multi-purpose in nature, all the objectives are not necessarily applicable in all parts of the Belt or in all parts of each Link. The provisions in Section Six indicate which of these objectives are applicable in each Link. In some areas the final decision reflects a reconciling and balancing of diverse objectives. Depending upon which objectives predominate and what balancing

of objectives has occurred, Parkway Belt West varies from place to place in shape, width, and content.

We have stated that the Draft Plan with which are dealing is indeed a complex planning document and this became evident during the course of the hearing where even some professional people found difficulty in contemplating what was indeed intended by certain of the statements contained therein. Exhibit 15, "Development Planning in Ontario - Parkway Belt West", under date of June 1973, and referred to on the inside fly leaf as Government Policy would in layman's language appear to expound more clearly than the finished document the thought and intent behind the final version. It is obvious that the ideal of the Parkway Belt is to control urban growth but it recognises that because of existing development within it the shape and content is of necessity affected. Land requirements for parks and conservation areas are clearly dealt with, as is the whole concept of the transportation and utility corridors and the reason for their inclusion within the Belt. At the time of publication of the Draft Plan in January 1976, the area of land contained in all Links totalled 57,790 acres of which 24,224 acres were shown as privately owned with 15,660 acres publicly owned, and 17,906 acres as yet to be acquired in the future Public Use Area. Exhibit 521, An Update of the Tables in the Draft Plan as of 31st October, 1976, indicates by virtue of certain acquisitions over the period, that the privately owned land has dropped down to 22,110 acres, while the publicly owned land has increased to 22,477 acres. This leaves 13,203 acres

determined for acquisition but yet to be acquired.

Under the Plan Interpretation on page Seven, we find that the proposed land uses and facilities in the Parkway Belt West are grouped into two general categories, namely, Public Use Area and Complementary Use Area. The Public Use Area, as stated in the Plan, comprises primarily areas presently used and to be used in the future for Public Open Space and for linear facilities. This area also includes some private open space and private uses existing prior to the adoption of the Plan. The inclusion of such private uses in the Public Use Area does not necessarily imply that they are open to the general public, or that they will be publicly acquired. There are approximately 1586 acres of privately owned land in the Public Use classification under the updated report as of 31st October, 1976.

The Complementary Use Area comprises areas that will be maintained or developed in uses that are compatible with, and assist in, the attainment of the objectives of the Parkway Belt West. In general, such uses will be low-density and low-intensity in nature so as to maintain the rural, non-urban character of Parkway Belt West. There are some 20,524 acres of privately-owned land which fall within the limitations of the Complementary Use Area. They will remain within private ownership.

The Hearing Officers have not attempted to reiterate in complete detail all of the provisions and requirements of the Draft Plan since the Plan on the face of it speaks for itself. Our function, as we understand it, is to receive representations respecting the contents of the Plan, by any person desiring to make such and then report to the Minister a summary of the representations made together with a report stating whether the Plan should be accepted, rejected, or modified, and giving the reasons for whatever course of action we recommend.



## THE HEARING

In an effort to acquaint the general public with the purpose of the hearing, and at the same time to encourage their participation in the making of representations and presentations of briefs, we carried out extensive newspaper advertising, in excess of that required by the governing statute.

In this regard we made use of the facilities of the large urban centred newspapers and all of the local papers having circulation in the area. The intent was to have the widest possible public participation in the process with which we were involved and it is our opinion that this objective was successfully achieved.

The Parkway Belt West System, as we have already stated, extends from Dundas to Markham and constitutes some 90 square miles. It was for that reason that we divided the area under consideration into three sectors with the place of hearing being as centrally located for each sector as was possible to determine, bearing in mind the difficulties encountered in procuring hearing room space sufficient to accomodate a number of the public at that time as yet unknown.

The first phase of the hearing opened on the third day of May, 1976, at the Woodbridge Memorial Arena in Woodbridge, Ontario. This initial stage of the hearing was continued until the twentieth day of May, 1976, and concerned itself chiefly with the presentation and history of the Draft Plan by the Provincial Presenting Panel headed by Mr. D. F. Taylor. In addition we heard submissions as to the general aspects of the Plan from the public. Based upon our Rules of Procedure the fullest public participation was encouraged with legal counsel or the individual land owner being given the opportunity of questioning

The Presenting Panel on any aspect of the Plan, on either general or specific matters throughout the hearing. At the outset of the hearing some 275 interested owners or ratepayers, including legal counsel, were present on the first day with the number gradually decreasing as the hearing progressed. This is quite understandable when one stops to consider that after the first part of the hearing, which was of a general nature, we entered the sector hearing stage where all submissions had been scheduled to a fixed time in each day. The sector hearing dealt with the individual properties, the first taking place at Woodbridge, the second at Oakville, and the third in the Town of Markham. In addition to the sector hearings, a supplemental hearing was held, lasting approximately two weeks, in order to permit submissions by certain legal counsel or owners who, for one reason or another were not able either (a) to keep appointments made earlier, or (b) had made their requests for hearing too late to be included in the hearing of the sector wherein their property was located. Each sector hearing began with a Provincial presentation and a two-day question period before proceeding to the actual submissions of legal counsel and owners.

In all, the hearing of the Parkway Belt West Draft Plan involved approximately seven months, and while the hearing officers did not sit on most Fridays, that time was put to good use in trying to keep abreast of the large number of submissions with accompanying briefs that were being received, and also in conducting a thorough inspection of the Parkway Belt West Area. In this regard it should be stated that we actually visited the lands of every person who made representations before us. Aside from these specific site views, we covered the entire Parkway Belt lands by automobile, and indeed walked a large percentage of the area where it appeared to us there was some special problem.

Some measure of our success in attracting public participation in the hearing is attested to by the fact that we received 240 individual submissions along with some 529 exhibits, all of

which have been catalogued so that they might be referred to in conjunction with our report where such is deemed necessary. Both the List of Submissions and the Catalogue of Exhibits are to be contained in the appendix of this report.

Very early in the proceedings, and on other occasions as well, the proposition was advanced by certain of those in opposition that the second-tier communities, a part of the two-tier concept, would no longer be required. This line of reasoning was premised on the fact that the most recent series of population reports forecast population growth at a much lesser rate than that relied upon in MTARTS and the Toronto-Centred Region Plan upon which we have said earlier, the Parkway Belt West Draft Plan was based. It was contended that such being the case the Parkway structure no longer makes sense.

The position taken by the Presenting Panel was that the most recent forecasts indicate an annual rate of growth to the year 2001 of 1.5 to 1.8 percent in contrast to the 2.3 to 2.5 percentage rates used in the Toronto Centred Region Concept and in MTARTS. If growth, they submit, should occur at the lower rate, it merely means the population predicted in the Toronto-Centred Region Plan to be reached by the year 2001 will not be reached until ten years later. In their opinion this variation is not significant, particularly when viewed against the scale of growth pressures that the Province must handle and should not be the basis upon which the second-tier communities will stand or fall. At any rate, it does not appear that the jurisdiction of the Hearing Officers extends to the question of whether or not there should be a two-tiered system. What is of import, however, and is part of the matter before us, is the extent of the requirement of land and its use, deemed necessary to accomplish the objectives of the Plan.

It is only fair to say that by far the greatest majority of those appearing before us were for various reasons in opposition to what is contemplated in the Plan. It must be emphasized



however, that the major complaint with the Plan had to do with its proposals for land use, whether it concerned lands to be taken for public use or left in private hands in the Complementary or Private Open Space Area. Each of these submissions will be dealt with individually in this report. Great concern was expressed over the fact that the Draft Plan is silent as to the staging of acquisition for those lands which remain in the Public Use Area and under the shadow of expropriation. As a matter of fact, it would appear that the actual amount of land to be publicly acquired is not as yet known. Another difficulty is the apparent inability of the Province at this time to provide detailed construction timetables and indeed it was pointed out that parts of Highway 407 for which rights-of-way are sought, may not be built upon for twenty years or more, unless there is a drastic change in need indicated. In addition, certain owners whose lands are to be taken, take serious objection to the fact that rights-of-way required for Hydro, highway, or future utility are so located upon their lands that the residual cannot be developed to the full potential, and in some instances makes necessary the retention within the Belt of larger acreages. Such, they argue, constitutes an unnecessary waste of what in many cases is good developable land.

The Presenting Panel recognises that in many instances it is not as yet possible to accurately determine where a particular highway or other right-of-way will finally be located or when construction will begin. It was explained that this is due to the fact that many of the projects are so far off in the future only preliminary work has been done at the planning stage.

In answer to the question of special hardship posed by those owners whose land or a portion thereof is to be acquired at an undetermined date, the Presenting Panel explained the basis of what is known as the "Advance Purchase--Distress" policy. This policy does not apply to Complementary Use lands, since as stated, such are not to be acquired. It was disclosed,

that already a great deal of land has been acquired by the Province under this policy.

Under its terms any person holding land in the Parkway Planning Area in a classification indicating eventual acquisition could apply to the Province to acquire their property in advance of the Plan being adopted. In order to qualify the applicant must meet four criteria. These are set out in Exhibit 168 and are as follows:

1. The applicant must voluntarily request that his land be purchased
2. The property appeared to be required for Government purposes
3. The distress confronting the owner was a direct result of Provincial actions and was not of the owner's own making; and
4. The distress was unique to the property and not general to properties in the Planning Area.

While it is granted that the advance Purchase Policy may well assist in many cases, and had indeed been taken advantage of, there are those owners who contend that in being compelled by circumstances to offer the land to the Province for sale, they are placed in a situation disadvantageous to them, which does not benefit their bargaining position.

Most vociferous of those in opposition to the Plan are the owners of land within the Parkway Belt now classified as Complementary Use. Time and time again we were told that the uses proposed for such lands within the Parkway Belt Draft Plan were so narrow in scope that insufficient monies could ever be raised by their utilization in this manner to even pay the interest accrued on existing mortgages, many of some magnitude. We were also advised that in some cases the income from agricultural land rentals was insufficient to even pay the municipal taxes levied on the property from year to year.

The Presenting Panel agreed that the uses listed in the Draft Plan as being permitted appear very specific, almost in the form of a zoning by-law. They point out, however, that the specific uses shown are meant only as examples, and that considering these with the objectives to be met in the Complementary Use Area, we have the framework for the Zoning By-Laws and Official Plans which will at a later time be prepared after the Plan is adopted by Cabinet. It was stated that these Zoning By-Laws and Official Plans will further refine the uses permitted and the standards applicable in the Complementary Use Area.

We are satisfied as Hearing Officers however, that if the primary objectives in the Complementary Use Area are as stated, namely the preservation of the open-character of the landscape and the encouragement of activities that do not involve covering the land with buildings or pavement, then the Plan at the present time, unless changes are made, is not capable of meeting that relief which is actually being sought by these owners.

The existing privately-owned Public Use Area proposed in the Plan also came in for its share of criticism. It is intended that in addition to the large acreage now in public ownership and with that to be acquired for future Public Open Space, there is to be encouraged a continued operation of private open space uses within the Belt. This, of course, in the mind of the owner precludes any more intense use of his land than is presently being made of it, even although in some instances it is quite clear that the use being made is only a transitory one in full accord with the planning concept of the local municipality, until such time as services are available for development to a more intense use.

We are told that for the most part the lands to be included within the Parkway Belt were carefully considered in the context of existing Official Plans and Zoning By-Laws governing the Municipality within which they were located. It was stated that almost half of these lands within the Parkway Belt in private ownership at the present time are already designated

under local Official Plans and Zoning By-Laws in a manner compatible with the Parkway Belt objectives. Approximately 20% of the privately owned land in the Parkway Belt has Official Plans and/or Zoning designations and standards not compatible.

As was pointed out, by those in opposition, very large per acre prices were paid for a goodly percentage of this land and not on the basis of farmland at all (which it may well be allocated to) but rather on development prospects enunciated by the municipality in planning documents approved by the Province. It was contended in answer to the Plan's farm oriented uses proposed for many of these parcels that they are too small to constitute a viable farm unit or related farm activity in accordance with the Plan, nor was their soil productivity always consistent with that of good farmland. In some instances we heard testimony from soil experts in this particular field supporting that contention.

It was stated by the Presenting Panel that the Province has in the past, and will continue to lease out to those wishing to farm, certain surplus Crown Lands that could be utilized with lands of a private owner to enable him to continue a viable farming operation. Reference was made here to the possibility of farming under the Hydro transmission lines and it would appear that such is going on at the present time.

The assembly of smaller acreages in this manner may well provide a very limited answer to the preservation of agricultural lands where bonafide farming is taking place on adjacent lands possessing all the necessary soil attributes, farm buildings, and equipment. Whether the amalgamating of smaller parcels of land to encourage new farming operations where none presently exists is a sound policy could be open to serious question, particularly since in other areas of the Province there are large



farms not as yet fragmented where farmers are desirous of maintaining the farming function. Indeed within the Parkway Belt itself there are certain well-established farm enterprises, and some of these owners appeared before us in opposition to the Plan yet speaking of their willingness to continue with their farming operations. They made it abundantly clear that if the Parkway Belt Draft Plan is approved in its present form, which in their area contemplates taking over their water frontage for public use, not only would they be deprived of the water for their stock, but in addition the proximity of the general public to the farming operation would make it nigh impossible for them to continue. It should be added that the fear expressed appears to us to be well founded from the experience of farmers in areas where development pressure has brought the urban community closer to their farm operation. In the cases above cited, which will be dealt with fully in our report, the farmers are of the opinion that the efforts in this instance to ensure the protection of Public Open Space and with it, walking trails in the vicinity of their farms will defeat one of the principles sought to be achieved, namely that of keeping existing farms under cultivation.

It seems incongruous to us that legitimate farmers who sincerely want to continue farming should be placed in the position where Provincial efforts to support them would in effect compel them to give up successful farming operations.

On the other hand reluctant owners of rather costly land are told they must commit it to this endeavour, really on the basis that it is at least marginal farmland, and is being used in this manner at the present. One must be naive indeed to assume other than that the farm operation is merely an effort to take advantage of the tax benefits accruing to farm land while awaiting development.

We have heard much during the lengthy proceedings of the need for co-operation from all sectors, both public and private if the Plan is to succeed. Undoubtedly it would be much preferred to have the co-operation

of the committed farmer if farmland is to be preserved, rather than the reluctant support (if any) of the land developer who is compelled to lease out expensive land for farming purposes at a rental not commensurate with his investment.

Earlier in this report we have alluded to the concern expressed regarding the limitation of urban uses and densities in the Plan and are of the opinion that our recommendations relative to the above should indeed constitute part of this report to the Honourable the Minister. While many of those making submissions before us wanted to be removed completely from the Parkway Belt West Plan so that they might continue to press for the use of their lands as originally intended, there were those who recognized quite fairly we thought, that it might still be possible to stay within the confines of the Plan, if permitted certain uses or additional density of use not now stated within its text. In effect, they requested that the densities as projected for residential, industrial, or commercial where provided for in the Plan, be increased considerably more than would appear to be intended upon reading the document and hearing the presentation from the Provincial group. The determination made as regards the Kraft Foods application to develop their lands was raised before us on several occasions, with others requesting the same kind of land coverage. The circumstances of that particular case were dealt with by the Provincial Presenting Panel, but the advocates of greater density and more intensive uses for their lands lying within the Belt are quick to point out that there are many other lands that form part of the Plan possessing pre-existing or legal non-conforming uses similar to those that they are now seeking. The point being made here is that if existing industrially developed lands can be brought within the Belt, and still be acceptable to the Provincial Planners, there should be some criteria in the Plan for extending similar rights to other lands presently undeveloped but possessing none the less an industrial or other potential not inconsistent with those properties being included.

One of the problems as earlier stated that confronts us here however, is that the large percentage of the lands destined to perform a complementary function under the Parkway Belt Draft Plan will, as stated, never ever be acquired by the Government. While it has been stated by the Provincial Presenting Panel in reply that many of these lands are capable of being utilized within the Parkway Belt and are really only being consigned to a use similar to that already called for in the Official Plan, it must be reiterated that in certain instances proceeding on the strength of municipal assurances, and after proper and prudent investigation, sales were consummated for even very small acreages at multi-millions of dollars.

At any rate, we did hear extensive evidence from many witnesses competent in the field of land use planning who were of the opinion that the Complementary Land Use allocations were much too large, but if retained within the Belt should be granted some uses and densities more compatible with their potential than would now be the case. We are not dealing here with a parkway in the sense of the Niagara Parklands where indeed the function would appear to be the provision of parkland per se. As we have pointed out such is not, nor was ever intended to be the function performed by the Parkway Belt West Draft Plan.

The provision of a utility corridor to accomplish the purpose expressed in the Draft Plan conforms to sound planning procedures, and indeed with this there seems to be general agreement, except in some instances where the location is questioned. There is no question, however, that the proposal in this regard represents a much superior economic philosophy pertaining to the joint acquisition of lands for multi-public purposes when compared to the old procedure where land was acquired by each individual governmental authority at additional cost, and quite often at the expense of cutting through existing municipalities. The Provincial position



taken in the Plan is that with or without the Parkway Belt there is a need for the multi-purpose utility corridor to service the area and to ensure that all of its needs in this regard be met as they arise in the most economical way.

The issues that will be raised by the Hearing Officers in this Report flow, of course, from the public hearing and expressions of opinion that were made at this hearing. It is indeed a happy coincidence when both the public and private sector are adequately served by any action taken by Government. This is not always possible and often calls for re-assessment, but the exercise of any relief given must be tempered with careful consideration.

Based on the planning and other evidence adduced before us we are of the opinion that certain relief should be granted to many properties that are involved in the Parkway Belt West Draft Plan and these will be dealt with individually in the report.

In many instances the relief sought would appear on the face of it to be quite minor in nature while other representations if concurred in could well be of a major nature yet still be justified. The point was raised time and time again by experienced land use planners that the approval of the Parkway Belt Plan as presently envisaged would in effect take some of the most potentially valuable industrial and residential land out of the market to the detriment of the municipality and indeed the Province, particularly where servicing of the lands now appears imminent. There are many instances where a municipality has geared its planning efforts with Provincial approval, to a specific goal of land development, but now finds with the Parkway Belt Regulations as imposed its efforts, and indeed monies are wasted.

We believe it has been shown that there are many cases of genuine hardship resulting from the proposal before us particularly in the Complementary Use Area. Difficulties have been experienced in attempting to sell properties, and even in the procuring of mortgage monies by individual owners due to the cloud of uncertainty that has resulted from the



imposition of the Regulations and the Plan itself.

In determining the extent of relief to be recommended we will consider what useful changes can be made in the overall requirement of the Plan, in conjunction with the specific requests made to us. Certainly there must be a thorough consideration of the whole question as to whether within this particular type of Parkway Belt with its multi-purpose corridor it would not be inconsistent to permit a greater economic use of the land.

In our opinion it would seem that such course with all planning safeguards taken would not seriously militate against the Provincial objectives for the Plan or the Policy statements of government. Some reasonable economic use granted to lands that might well lie fallow otherwise, could do much to justify the heavy cost to the Province of eventual acquisition amounting conservatively, we are told, to approximately 500 million dollars for those lands only so designated. This raises the whole question of the propriety of certain lands being brought into the Complementary Use or other classifications, not always because the Provincial Planners originally decided thusly, but rather when local or Regional Boards requested the inclusion. The irregularity of boundaries of the Plan in many instances attests to the fact that there were times when what was a harmonious line was breached to reach out and encompass an individual property.

Cost analyses of the Province for acquisition are not put forward as being complete appraisals within the context of what would be required before a Land Compensation Board or the Courts. The time constraint and other elements precluded this. Though it has been stated that prices paid for acquisitions to date are in the order of the estimates it must be realized that in most cases the settlements have been negotiated. We are told that despite the monies already expended the sales do not

give an accurate sampling. Such things as possible injurious affection, loss of profits, relocation expenses, and costs of buildings, etc. have not been considered.

There were those before us who alleged that the estimate of the costs of acquisition were considerably below what would actually be experienced.

Perhaps it would be quite a different matter if all of the lands in the Belt were to be taken and compensation paid in the historical manner. This of course was done in the case of the Ottawa Green Belt we are told, and was based upon the fact that the Federal Government did not possess the zoning powers of the Province.

If for a public Provincial project this same course cannot be followed it then becomes incumbent on those designing the Plan to ensure that only lands essential to the project be included. As a matter of fact many owners of lands that have been zoned down in effect bluntly stated that they are providing an inventory of land for future unanticipated Provincial activities at their expense for the whole populace. They vigourously protest the inadequacies of the text to provide for the same rights as are permitted in an Official Plan as to clear statement of use and procedure for amendment.

It is one thing, however, aside from the equities of the matter, for those proposing the Plan to include large quantities of land that they recognize in the text will not be acquired (complementary use) and on the other hand extending the line to include many properties (public use) that will undoubtedly cost millions and millions of dollars. Certainly in times of restraint this is an area where a high degree of caution should be exercised.

While it may be argued that valley lands by rivers or streams should be protected within the Belt and thus taken, it is admitted there are other governmental authorities who are now exercising control in this field. It was explained that the control provided in the Parkway Belt would give further protection to these natural lands. After months and months of hearings we recognize that in some instances there must be full Provincial control, in others by Boards or Commissions set up by the Province, and yet again by private owners who have maintained their lands in a manner consistent with good stewardship of the natural environment. As a matter of fact just a glance at any of the maps in the Plan would satisfy anyone that the portions of valley lands and water-courses sought to be protected are small indeed when compared to the acreages immediately adjacent that are still under the jurisdiction of Conservation Authorities and lie outside the Belt.

Although it was requested of us, this Panel of Hearing Officers were not, nor indeed should they have been, charged with the responsibility of reporting on the determination of compensation payable to one or another of the property owners. As was pointed out, there is within the Province a body charged with that responsibility and of course, ultimately if need be<sup>E</sup>, the Courts of the land. We did agree, nonetheless, that we had jurisdiction to hear from the public any views held on the whole picture of compensation as it applies generally to the area with which we are concerned, and later in the report will deal with that aspect. The Parkway Belt West Interested Groups and Residents Advisory Committee Report of March 1975 also dealt with this issue, among other things. Extensive argument on the matter was made by legal counsel who regarded it as being of the utmost importance, particularly since the Hearing conducted by us was the first public forum where such representations could be made.

The final evidence submitted by the Province to the hearing in support of the Plan consisted of the response by the Presenting



Panel to some 48 questions which had been prepared by the Hearing Officers over the course of the hearing, and were answered publicly by D.F. Taylor and the Presenting Panel. Answers given to these questions were so definitive as to constitute some of the most significant evidence presented in support of the Plan and was of inestimable value to the Hearing Officers in arriving at our recommendations. The vast amount of work involved in their preparation is readily measured by a scrutiny of these questions and answers now entered as Exhibit 529.

Another significant exhibit No. 522 is a series of maps of the Draft Plan showing the location of all submissions made before the hearing. The exhibit also indicates all lands either under public ownership or in negotiation for possible acquisition.

During the course of the hearing the Hearing Officers heard from individuals and municipalities, both local and regional, seeking to have included within the Belt certain lands lying outside the Design Area. A ruling made by the Hearing Officers as to their jurisdiction to comply with these requests was overruled in the Divisional Court in the case RE: Chadwill Coal Company Limited. Being therefore without jurisdiction we were unable to further consider any such request made before us.

CONSIDERATION OF SUBMISSIONS ON COMPENSATION  
IN COMPLEMENTARY USE AREAS

Throughout this hearing the question of Compensation for down-zoning, for "freezing" lands, for restricting development potential, for preventing the highest and best use, or any number of other such phrases has been a topic inserted in many briefs and discussed extensively by owners and their solicitors. It is a matter of concern to the Hearing Officers and in some measure has been reflected in our general and specific recommendations elsewhere in this report.

Early in the hearings a statement was obtained from the Treasurer at the request of the Hearing Officers concerning Compensation (Exhibit 52 , 18th May, 1976), and he has stated that the existing law in Ontario would apply.

From the outset the Hearing Officers were cognizant of the fact that Compensation would be referred to in a general way only and would not be related to the individual submissions on specific lands. Another tribunal in the Province and perhaps ultimately the Courts would make particular determinations on the matter of Compensation where land was taken or injuriously affected.

There is no provision in the Parkway Belt Plan or related legislation for Compensation to be paid for lands designated Complementary Use and this was the area in which the landowners had the greatest complaint, the argument consistently being that the private owner should not bear the cost and the responsibility for the maintenance of lands within the Parkway Belt for the benefit of the public at large.

The Interested Groups and Residents Advisory Committee Report of March 1975 (Exhibit 7) refers in detail to the problem at Page 15 and following. The Committee's recommendations appear on Pages 18, 19, and 20. After a thorough submission on the problem the following recommendation appears at Page 20:

"We strongly recommend that Compensation be provided to those who owned real property as on 3rd June, 1973 and who suffer loss of development or expansion rights by reason of pending changes in Official Plan designations or zoning to conform to the new provincial legislation implementing the Parkway Belt West."

This recommendation was "not adopted" by the Government in its reply to that report.

A comprehensive review of the problem of Compensation within the Parkway Belt and related particularly to Complementary Use lands was submitted in Argument by the firm of Perry Farley & Onyschuk and in the various aspects concerning the uses allowed in areas of Complementary Use by Robert W. Macaulay. Reference is made in the latter argument to Page 6 under "Vested Development Rights and Down Zoning and Acquisition"

A quote from that written argument is useful and explains the feeling of most landowners in simple form.

"In particular cases where lands included in the Parkway Belt are immediately surrounded by urban uses or by lands which are about to be developed



and therefore the development of the former lands was imminent, it would be most inequitable and unsound planning to effectively set aside all development rights without providing any compensation to the owners of such lands."

Of course it follows that the same reasoning applies that where lands now designated for Complementary Use within the Parkway Belt enjoyed an Official Plan designation or zoning classification allowing development of a density or intensity higher than those permitted under the relevant section of the Parkway Belt compensation should be paid.

The rights to compensation for down-zoning in the United States stem from the Fifth Amendment to the Constitution wherein private property shall not be taken for public use without just compensation, and the operative word here as interpreted by the Courts is "taken" which may include down-zoning, in effect restricting the use of land to such an extent that the public good is being furthered at private expense. The difference is in degree as to whether the imposition simply restrains conduct which is harmful to others or aims at an enrichment of the public through the extraction of public good from private property.

The Hearing Officers were provided, as well, with examples of Legislation in Great Britain and Australia relating to Compensation for down-zoning.

In Australia legislation has been passed permitting the payment of compensation in certain defined circumstances where restrictions have been imposed on the use of property. The law applies where land has been zoned for public purposes whether or not it is actually expropriated. Generally compensation is payable upon the sale of the lands based on the difference between that sale price and the value of the property had the restrictions not been passed.

The Hearing Officers were requested to consider a recommendation to the Treasurer for legislation to be enacted on the pattern of certain Australian law if it was felt this should be the course to follow in Ontario.

We are of the opinion that it is far outside our jurisdiction to recommend legislation to the Government of such a far reaching kind as the Australian law provides.

Without reviewing the many alternatives or combinations thereof relevant to the Parkway Belt or future such control actions by the Province, the real situation resolves itself into four basic alternative submissions in that no provision in Ontario provides for Compensation in the case of the Complementary Use Area of the Parkway Belt where property may in fact be down-zoned. Those alternatives are:

1. Pass legislation to provide for payment of compensation for down-zoning or loss of development potential

2. Exclude such lands from the Parkway Belt in total.
3. Negotiate the outright purchase of the properties in Complementary Use or expropriate them.
4. Expand the permitted uses in the various areas of Complementary Use within the links of the Parkway Belt to allow a reasonable opportunity for development.

The Premier has referred to the Compensation problem relating to down-zoning on several occasions. In his speech of Monday, 10th December, 1973 (Exhibit 37) the intention of the Government to follow existing law in the Province and not pay for down-zoning is clear.

He also deals with the matter in an exchange in the Legislature as reported in Hansard for 11th December, 1973 (Exhibit 38).

Further the Honourable John White, then Treasurer, in his statement to the Legislature of 4th June, 1973, specifically stated the intent of the Government to deal fairly with landowners affected by the Parkway Belt and involve the widest possible degree of public participation in the development of the program. This, of course, is what this hearing over so many months has sought to achieve.

Accordingly the Hearing Officers have in dealing with the Parkway Belt Plan applied a combination of the last three alternatives to



achieve what we believe to be a proper balance between the public and private interest considering the laws of natural justice and the equities of the problem. To do nothing after hearing so many representations along the lines of our recommendations would be a dereliction of what we see as our duty as we interpret it.

#### MAIN RECOMMENDATION:

That the Plan be accepted as modified by the General Recommendations elsewhere in this Report, and by those Specific Recommendations set out in Submissions Numbers 1 to 240 inclusive.

#### REASONS:

Following the lengthy hearing and in accordance with our understanding of the relevant Legislation, a very complete and detailed analysis was made of the individual submissions before preparing our recommendations and reasons in those specific cases. It is to be pointed out that in making the Main Recommendation above it was necessary to deal with the Parkway Belt West as a whole. Considering the broad concepts enunciated in the Metropolitan Toronto and Region Transportation Study, and Government Policy as stated in the Toronto-Centred Region Plan, the need for a Parkway Belt Plan has in our opinion been justified. The goals and objectives in the Draft Plan have been developed over a considerable period of time by the Province, and in accordance with our acceptance herein as modified, it is our opinion that those goals and objectives can, and will be attainable as of the time the Development Plan comes into effect and is implemented.

In considering our Specific Recommendations it was necessary to deal with the various submissions on a Link to Link basis and to break these submissions down by groups and areas, taking into consideration the specific goals and objectives of the particular Link and the planning concepts applicable therein. No General Recommendation or Specific Recommendation in connection with any individual submission was made in isolation. Each was considered with other matters relating

to such items as planning commitments, Official Plan designations, zoning by-law classifications, and the evidence presented both by the Provincial Panel and the owner. In addition to the foregoing we were mindful of the possible impact of the cost of acquisition of lands so designated as weighed against our opinion of the public benefit to be derived from such expenditure.

We recognize the multi-purpose utility corridor, urban separator and linked open space system that is the basic concept of this Plan, and throughout our deliberations have been careful that the goals and objectives be maintained and that our recommendations not compromise or jeopardize the Plan. In making our Main Recommendation subject to the General and Specific Recommendations, we are satisfied that the above result has been achieved and that both the public and private sector will be adequately served upon the ultimate acceptance and implementation of the Plan as modified.

Early in the course of the hearing the Divisional Court decided in the Chadwill Coal Case that we had no jurisdiction to deal with lands outside the Design Area of the Plan, and accordingly we were unable to consider the relocation of certain political boundaries, the realignment of linear facilities or the addition of lands to the Plan outside that Design Area.

It was apparent by the representations made that the opinion of the Provincial Presenting Panel was not always shared by some of the other planning witnesses who came before us. Much of the planning evidence presented by the various owners reflected exhaustive research and widely accepted planning principles. In other representations it was



apparent that no such expertise was available to the owner and as is often the case before administrative tribunals, neither was legal counsel employed. In all cases however, our recommendation has been based on the whole of the material before us as reflected in the number of witnesses heard and the 529 exhibits filed, and the consideration of individual submissions was not impaired by the lack of legal and planning advice.

## PERMITTED USES IN COMPLEMENTARY USE AREAS

### RECOMMENDATION:

That the Plan be modified with respect to Control Actions in the Complementary Use Area so as to provide a broader range of permitted uses and less restrictive criteria for development, where it can be shown that such uses and criteria will not offend the goals and objectives of the Plan.

### REASONS:

The very large percentage of Complementary Use lands in private ownership presented a most difficult problem to the Hearing Officers in arriving at this recommendation. Considerations were in the main quite different from those employed in attempting to resolve the problems of owners of lands faced with possible acquisition by the Province at some future time and we have dealt with that aspect elsewhere in this report.

In the case of the Complementary Use lands it is not a question of whether or when they will be taken, for these lands, except in very isolated cases, are not intended for such. Without exception the main complaint of these owners stems from the very limited urban form of use that is allowed within the classification and it is pointed out that even the Policy Section 5.3.3 which lists all of the permitted uses in this classification is inadequate. Each individual Link, of course, because of its particular role in the Parkway Belt Plan, does not necessarily embrace all of the uses referred to in Section 5.3.3.

The Presenting Panel attempted to allay the concerns of those in opposition to this part of the Plan and stated that its permitted uses were quite general at present, but would be refined further at the time of

implementation. It was made clear however by them that a high coverage of land by buildings was not compatible with Parkway Belt objectives.

In certain instances as shown in the section of our Report dealing with individual submissions we have recommended specific relief for certain properties. These were either deleted from the Plan to develop under municipal regulations at the appropriate time, (and the Province here always has an overriding authority), or were granted specific coverage where the lands had strong industrial attributes. Needless to say in dealing with these specific matters we considered many planning aspects such as the infrastructure already developed by the municipality, the proximity of services if not now available, the character of adjoining lands, and most of all the position occupied by these lands in the Official Plan of the municipality and/or other pertinent planning documentation.

We were cognizant of the fact that many owners in Complementary Use were really not prejudiced at the present time by the Plan since development on the evidence was many years hence, and their designation under the Official Plan of the municipality did not contemplate what they were seeking before us.

At the same time it must be acknowledged that unless a favourable response was given arising through an application for amendment to the Plan any development "expectation" an owner had, albeit remote, could never be realized under the Plan as presently constituted.



It is this that gives rise to the belief held by those appearing before us that they are being compelled to provide an integral part of the Parkway Belt Plan for the whole Province without any compensation or, alternatively the opportunity to make a viable economic use of their property.

Competent land use Planners appearing before us expressed views diametrically opposed to the Complementary Use inclusion in the Belt and indeed one suggested it should all be deleted and local Official Plans and zoning by-laws (always under Provincial scrutiny) continue to regulate the lands.

This poses a very pertinent question. If the lands are indeed determined to be necessary to constitute a Belt, and perform their function within it, are they then not just as important to the Plan as those lands designated for some Public Use that are to be taken and compensated for?

We are satisfied that the lands we have recommended to be left in Complementary Use are necessary to support the overall concept of the Plan but not necessarily in the manner the text advocates at the present time. It is still possible for them to fulfil their role even if greater urban uses are permitted provided all is subject to sound planning controls.

We do not believe the presently permitted uses in the Complementary Use Area are broad enough. This is not to say that in all areas the same intensity of use can apply. While we have in certain cases made a specific recommendation as to disposition (deletion, acceptance of the

Plan, or a 25% lot coverage for industrial use for some of those properties heard from), it is not in our opinion within our competence to attempt on the evidence we had before us to plan all the uses for the balance of those lands whose owners did not appear before us.

Of course this issue would never have arisen had all the lands required for the Belt been designated for acquisition. If the permitted uses are not broad enough to ensure a measure of economic viability for this large acreage perhaps consideration should be given to a staging of acquisition for Complementary Use lands and redesignating such lands for Public Use within the Plan.

It is our opinion that this is not the best alternative considering the high acquisition costs that would be involved and accordingly our recommendation for expanded uses is the most practical solution to the problem.

## THE STAGING OF ACQUISITION FOR LAND SO DESIGNATED

### RECOMMENDATION:

That the Plan be modified by amending Section 5.1.1.(b) to provide for a definite program for the timing of acquisition of those lands so designated in the Plan as finally approved, and the affected property owners be so advised.

### REASONS:

In every submission made when the owner's lands were shown within a Public Use or Open Space Area (dark green in the Plan) the major concern expressed was that of the timing of acquisition. It is clear by section 5.1. of the text that all properties so designated will not in fact be purchased in the implementation process after the Plan in whatever form is approved.

Based on the representations made we are of the opinion that one of the most important aspects in connection with the implementation of the Plan is to provide in the text a definitive statement as to the timing of acquisition of those lands to be taken and notification to all owners of properties within the dark green section of the Plan as to what program of purchase has been approved. If it is not the intention of the Province to ultimately purchase certain properties within that same designation those owners should be so notified as well.



It was the anxiety and uncertainty caused by being designated for ultimate acquisition that was the prime concern of this large group who made submissions to the hearing. By our recommendation herein it is to be hoped that they can be relieved of that anxiety and uncertainty which has on the evidence in the interim period created varying degrees of hardship on those owners faced with possible sales or refinancing of their holdings.

## AMENDMENT TO THE PROVINCIAL REGULATIONS

### RECOMMENDATION

That as soon as practicable after approval of the Plan as modified, those Provincial Regulations then in effect outside the modified Design Area, be repealed.

### REASONS:

Throughout the course of the hearing representations were made to us for amendment to, or release from Provincial Regulations imposed on lands within the Planning Area of the Parkway Belt. We explained that it was beyond our jurisdiction to provide such relief and that application must be made to the Honourable the Treasurer for such purposes.

Taking into consideration the modifications that may be made to the Design Area of the Plan by our recommendations herein wherein certain properties have been deleted, and considering that there are still lands outside the Design Area of the Draft Plan but within the Planning Area of the Regulations, we are of the opinion that upon approval of the Plan as modified those areas not then affected should be relieved of those Regulations. We recognize the control actions provided for under Section 5.3.1 and accept those provisions.

REMNANT PARCELS (THOSE LANDS AFFECTED BY RECOMMENDATIONS BUT UPON WHICH  
NO SUBMISSION WAS RECEIVED)

RECOMMENDATION:

That consideration be given to the modification of the Plan by deleting from the Design Area certain isolated, irregularly shaped or remnant parcels that would, if our specific recommendations are accepted, remain designated for either Public or Complementary Use.

REASONS:

During the course of making our various recommendations with respect to specific submissions on individual properties, it became obvious that certain isolated or remnant parcels in either Public or Complementary Use would remain in the Design Area, and would not in our opinion be necessary to further the goals and objectives of the Plan.

We wish to bring the following specific examples to the attention of the Minister in that we heard no representations in these cases from the individual property owners.

- (1) that area designated Joshua Creek Valley Public Open Space lying north of the Queen Elizabeth Way.
- (2) those areas designated Oakville Creek Public Open Space lying in Concession 3, north of Britannia Road.
- (3) those areas designated Complementary Use in Concession 4, west of the Fourth Line and north of Derry Road.
- (4) those areas of Complementary Use lying within the Oakville-Mississauga Mini-belt, south of the Southern Link that would remain east of the Highway 403 connecting Link and west of the realigned Hydro right-of-way, if these two linear facilities are to be accepted as the hard edges in this particular portion of the Mini-belt.



- (5) those areas of Complementary Use now remaining in the Design Area lying north-east of the Credit River Meadowvale Open Space Area and Churchville Park.
- (6) that area designated Complementary Use and future utilities, and Hydro right-of-way, that will remain in the Design Area as a result of the realignment of those linear facilities, and lying south of the north limit of Lot 34 immediately west of Uplands Golf Course.
- (7) those areas of Complementary Use lying south of the Hydro right-of-way, west of proposed Highway 404, and east of the German Mills Creek.
- (8) those areas of Complementary Use referred to as the Pleasantview Study Area and being generally bounded by Highway 6, Highway 403, CNR, Valley Road, the Royal Botanical Gardens, and Patterson Road.

## AREA SOUTH OF ROYAL WINDSOR DRIVE

### RECOMMENDATION:

That the Plan be modified by deleting from the Design Area all lands not now publicly owned in that part of the Oakville-Mississauga Mini-belt lying to the south of Royal Windsor Drive and extending to Lake Ontario.

### REASONS:

The term "Area South of Royal Windsor Drive" is a general description of the extreme south portion of the Oakville-Mississauga Mini-belt. In this area, by the recommendations made under Submissions 72, 77, 109, 146, 147, and 222, most of the privately-owned land is recommended for deletion from the Plan, leaving some remnants of private land and some areas already in public ownership.

We are aware that the above-noted recommendation would have the effect of practically destroying the Plan in this area, but, we bring to your attention the following:

- (a) A trail system along Joshua Creek from Royal Windsor Drive to the Lake can still be achieved through the normal planning processes.
- (b) There are only two crossings of the Mini-belt in this area:  
Royal Windsor Drive and Lakeshore Boulevard. The public ownership now at Lakeshore Boulevard and the major industrial development on Royal Windsor Drive already perform the function of separation.
- (c) Rights-of-way are already available for Hydro.

It is therefore our opinion that the goals and objectives of the Plan are still attainable.

## FUTURE UTILITIES STRIP IN MALPORT AREA

### RECOMMENDATION:

That the Plan be modified by re-locating the future utilities strip in the Northern Link in the area extending generally from Torbram Road to Highway 27.

### REASONS:

Reference should be made to the recommendations contained in Submissions 18, 34, 49, 63, 201, 212, 215, 221, 20, 25, and 26.

At one time the Malport Terminal was proposed to be located west of Airport Road just to the north of the CNR Toronto by-pass. This facility has now been re-located east of Airport Road and north of the Design Area. There can be no doubt that the original proposal influenced the design of the Plan in this area, and this is reflected in our recommendations in the above noted submissions. If those recommendations are accepted, it will be necessary to define a new location for the utilities strip.

File Number: 200-1

Submission Number: 1

Counsel: R. Noel Bates

Owner: Lido Golf Centre

Land (brief description): Concession 3, SDS Oakville 100 acres  
more or less (S.E. Corner QEW & Hwy. 25)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

1. The Plan fails to consider future population growths in setting up first and second tier communities and therefore, cannot justify the separation concept.
2. There is inconsistency between the goals in each specific link and political boundaries are not in accord with Parkway Belt boundaries.
3. There is no provision for servicing the Second Tier Communities. No reference in Plan as to how or when. No statements as to location of Sewage treatment plants.
4. There is no attempt in Plan to reconcile the inconsistencies with existing Official Plans and Zoning By-Laws to conform with Parkway Belt concepts.
5. There is no reference to CPR commuter line from Streetsville to Burlington and this was fundamental concept of Metropolitan Toronto and Region Transportation Study.
6. There are existing Government agencies which can create Parkway Belt concept, e.g. Ministry of Natural Resources, Environment, Hydro, Conservation Authorities, etc.
7. No cost benefit study was undertaken in connection with Parkway



Belt plan as recommended by Interested Groups and Residents Advisory Committee.

8. There is no role for Private ownership within the plan.

Section 6.5.3 (d) should be specifically deleted as far as it relates to Public Use Areas.

Exhibits Filed: Nil

Recommendation:

None

Reasons:

This general submission covers a wide area of problems. In making recommendations on individual submissions, and elsewhere in the Report in our General recommendations, the matters herein presented have been fully considered in arriving at our various conclusions.

It is also to be pointed out that individual Submission No. 76 contains a recommendation in conformity with the submission made.

File Number: 200-6

Submission Number: 2

Counsel: Saul D. Paton

Owner: Bayshire Investments Limited

Land (brief description): Lot 7 and E½ Lot 8, Concession 1

South Dundas Street, Oakville 300 acres

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

The Brief makes the following points:

1. Immediate expropriation of land which Parkway Belt Plan designates for eventual public purposes with compensation to be made on basis of market value at June 4, 1973, adjusted to provide interest to date of payment.
2. Where the government deems lands frozen and sterilized in perpetuity without acquisition compensation should be paid to owners based on the difference between market value on June 4, 1973 and market value for uses permitted by Parkway Belt Plan and adjusted for interest as above.

Exhibit: 41 Brief

Recommendation:

None

Reasons:

Our recommendation in connection with Submission No. 83 deals in fully with this general submission.

General recommendations are made elsewhere in this report as to the staging of acquisition.

File Number: 200-7

Submission Number: 3

Counsel: Robert J. Patton

Group: Toronto Real Estate Board

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

The Brief sets out the following:

1. Compensation - There is a severe infringement on private land owners in the Complementary Use Areas. The need for compensation arises out of restricted uses as the owner is deprived of intensive future use of his property.
2. Is the cost of the Plan worth the Public Good? Detailed and specific information as to cost to the private owner and public purse should be set out in any Development Control Plan.
3. Method of compensation must be fair to landowners and the public - see brief for method of calculating compensation.
4. The Toronto Real Estate Board is concerned about the difficulty of implementing the Plan in the Toronto Area. Many potential Industrial Areas which can be served by railway spur will be within Parkway Belt.
5. Timing -- Impose definite time limits and adhere to them so that private individuals can make development decisions and sufficient time be allowed for implementation of the Plan.

Exhibit: 42 - Brief

Recommendation:

None

Reasons:

In General recommendations found elsewhere in this Report, the matter of staging of acquisition of property is dealt with fully.

In addition in specific recommendations on individual properties the costs of acquisition are referred to in relation to the cost of possible public good to be derived.

We are of the opinion that our jurisdiction does not extend to the ultimate implementation of the Plan.



File Number: 200-8

Submission Number: 4

Counsel: Patrick Bradley

Owner: Runneymede Development Corporation Limited

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

Adjourned. (See Submission 10,)

Recommendation:

None

Reasons:

See Submission 10.

File Number: 200-16

Submission Number: 5

Counsel: Gordon Atlin, Q.C.

Owner: Double "K" Farms Limited

Land (brief description): Part Lot 9, Concession 5 Markham  
149 acres

Parkway Belt Location: Northern Link, Map 5

**Summary of Submission:**

The position of the owner is that he is being required to retain his land in agricultural or greenbelt type use until the Minister decides otherwise or in perpetuity without compensation. Persons owning land in the Parkway Belt will in effect be carrying the inventory of Parkway Belt lands for the whole of the Community of Southern Ontario at their expense without compensation. Owner agrees with aims of the Parkway Belt Plan but states the means of achievement are unacceptable. All owners should be compensated and lands acquired at market value under the procedures of the Expropriation Act.

Exhibit: 43 - Brief

**Recommendation:**

None

**Reasons:**

See Recommendation in Submission Number 167 and general recommendations as to permitted uses in Complementary Use Areas elsewhere in this Report.

Agent: C. E. Babb

Group: Regional Municipality of Halton

Land (brief description): General

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

A brief summary of the submission by the Region makes the following points:

1. Halton endorses the principle of a system of urban centres separated by and served by a network of transportation, utility and open space corridors.
2. Halton does not agree that North Burlington and North Oakville should be designated for urban places - they should remain agricultural.
3. Halton questions the extremely low intensity of permitted development in the Complementary Use Areas.
4. Halton wants the Government to consider compensation for loss of development rights, in areas affected by, but not taken by, the Parkway Belt.

Exhibits: 44 (a) Brief

44 (b) Map of Halton Region

Recommendation:

None

Reasons:

The Regional Municipality endorses the principle of the separation of urban areas.

The Hearing Officers have no jurisdiction to deal with Future Urban Areas outside the Design Area of the Parkway Belt.

Elsewhere in this Report we deal with recommendations in respect to permitted uses in Complementary Use Areas and compensation in general terms.

File Number: 200-14

Submission Number: 7

Agent: Frank J. McKechnie, Councillor Ward 5

Mississauga

Group: Ratepayers Ward 5, City of Mississauga

Land (brief description): General

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

Among other comments on the Parkway Belt Plan this submission makes suggestions as follows:-

1. Endorses the use of Multi-Use Utility Corridors as wise use of land and basically sound planning principle. Keep corridors as wide as possible.
2. Depress the Highway 403 arterial route or use other means to lessen impact on Mississauga.
3. Provide crossings on Highway 403 so as not to divide the City into small units.
4. Provide urban separation between Mississauga and Toronto by extending Belt down the east side of Mississauga.
5. Adjust boundaries between Mississauga and neighbouring communities e.g. Oakville.
6. Designate Credit River Valley as a Parkway Belt and include as a Link of Greenbelt.
7. Reject the Malport Terminal location.
8. Permit Industrial Development on very limited scale in Parkway Belt area.



Exhibit: 45 Brief

Recommendation:

None

Reasons:

A number of the items raised in this submission are beyond the jurisdiction of the Hearing Officers and the balance of the submission has been dealt with in both our general and specific recommendations elsewhere in the Report.

File Number: 200-13

Submission Number: 8

Counsel: Edwin J. Pivnick, Q.C.

Owner: Sheridan Hills Development Limited

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

To appear at Oakville portion of Hearing in July as land is in the Oakville-Mississauga Mini-belt, and the matter is specific in nature.

Adjourned.

Exhibit: nil

Recommendation:

None

Reasons:

These matters are dealt with in specific Submission 96.

File Number: 200-15

Submission Number: 9

Counsel: B. A. Onyschuk

Owner: Wimpey Homes Limited

Land (brief description): Lot 2 & 3, Concession 3 SDS Oakville

Parkway Belt Location: General

Summary of Submission:

The owner is not against the Parkway Belt per se but it is badly conceived in some respects.

1. Complementary Use Area - He is concerned about the 22,000 acres in this designation and recommends the elimination of this Use entirely.
2. Staging of development and acquisition should be an integral part of the Parkway Belt Plan.
3. The goal of Community Identification cannot be achieved as political boundaries do not coincide with this Plan. The submission is that this may not be a valid goal in any event, as it is achieved by other means than this type of separator.
4. There should be Compensation for Down-Zoning, e.g. Interested Groups and Residents Advisory Committee Report. The whole question of Government Policy is discussed.

Exhibits: 46 Excerpts from Hansard

47 Map Showing Valley Systems

48 Speech of John White to Law Society

March 1, 1974

Recommendation:

None

Reasons:

In our General recommendations elsewhere in this Report, proposals are made with respect to the permitted uses allowed in Complementary Use Areas and the staging of acquisition of lands required for the public.

We recognize that in some cases political boundaries do not coincide with the separation of urban communities as set out in the Plan as one of the goals. The matter of compensation has been dealt with in a general way in this Report.



File Number: 200-8

Submission Number: 10

Counsel: Patrick Bradley

Owner: Runnymede Development Corporation Limited

Land (brief description): Part Lots 13 & 14, Concession 6 WHS  
Mississauga 133 acres more or less,  
Part Lot 1 Concession 7 NDS Brampton  
150 acres more or less, Part Lots 39 & 40  
Concession 4 F.T.H. Etobicoke 55 acres  
more or less.

Parkway Belt Location: General

Summary of Submission:

1. The Draft Plan does not meet the requirements of the enacting legislation.
2. Insufficient investigation has been conducted, or made available, of the social, physical, environmental and economic considerations in the Planning Area.
3. Goals and objectives of the Draft Plan are contradictory and cannot, therefore, promote optimum conditions in the Planning Area.
4. No criteria are presented in the Plan to resolve conflicts between the goals and objectives or between the Draft Plan and legislation.

Exhibits: 49 Brief

Recommendation:

Sub. 10 cont'd

None

Reasons:

This submission was by way of general comments on the Plan and the legislation leading to it.

Response to the submission may be found in our general recommendations elsewhere in this Report.

File Number: 200-17

Submission Number: 11

Counsel: H. H. Solway, Q.C.

Owner: Cadillac Fairview Corporation Limited

Land (brief description): Various General

Parkway Belt Location: General

Summary of Submission:

It is submitted that:-

1. Permitted Uses in the Complementary Use Area are too narrow and Agricultural Uses are probably the only prospects for the owner. Much of this 22,000 acres would be idle.
2. Community Identification can't be achieved by the Parkway Belt Plan and should not be the number one goal or a goal at all, but a footnote to the Plan only.
3. Staging should be part of the Plan.

Exhibits: Nil

Recommendation:

None

Reasons:

The matters raised by this submission are dealt with by General recommendations set out elsewhere in this Report.

File Number: 200-19

Submission Number: 12

Counsel: G. J. Smith, Q.C.

Owner: S. B. McLaughlin Associates Limited

Lands (brief description): Various

Parkway Belt Location: General

Summary of Submission:

1. The hearing on the Parkway Belt Plan should be similar to a reference of an Official Plan to the Ontario Municipal Board and if the Province does not acquire the property it should be allowed to develop after consideration by normal and appropriate planning authorities on ordinary planning principles.
- 2, The jurisdiction of the Hearing Officers does not extend to recommending as to uses or inclusion of those lands within the Planning Area (red lined) but out of Design Area (coloured green) or for that matter any lands outside the Planning area.
3. Immediately exempt those lands out of the Design Area from the land use Regulations imposed by the Province.
- 4 There should be priorities and timing for acquisition of the Public Use Areas.
5. The process for amendment to the Plan adds another government proceeding to the Planning process making development proposals too time consuming and onerous.
6. Where the Hearing Officers determine a change in the Plan all owners affected should be notified and an opportunity given for representations to be made.



7. The Complementary Use Areas should be deleted from the Plan, and the regulation thereof returned to the local municipality or discretion of the Hearing Officers applied liberally to consider development proposals and recommend such as conforming to or complementing the objectives of the Plan.
8. Criteria should be developed for the number and location of permitted access points.
9. Where a residual parcel remains in private ownership and it cannot be reasonably or economically developed the province should acquire it.

Exhibit: Nil

Recommendation:

None

Reasons:

This submission is of a general nature and recourse should be had to the General recommendations made elsewhere in this Report.

File Number: 200-20

Submission Number: 13

Counsel: J. S. Farquharson, Q.C.

Owner: Costain Estates Limited

Torva Holdings Limited

Land (brief description): Costain - Part Lots 6 & 7 Concession 3

Markham 50 acres

Torva - Part Lots 9 & 10 Concession 2

Vaughan Township 104 acres

Parkway Belt Location: General

#### Summary of Submission:

1. There is no remedy for those whose lands are not acquired but are "down zoned" by loss of their development rights. Hearing Officers should comment on compensation policy and consider the matter when recommending removal of lands from the Belt.
2. The only use for practical purposes in the Complementary Use Area is Agricultural and many of those parcels are or will not be viable farm units.
3. The belt is unnecessarily wide in the Markham Area.
4. Linear facilities should be placed in close proximity to minimize land required to carry out the Plan's objectives.

Exhibit: 51 Brief

#### Recommendation:

None

#### Reasons:

Elsewhere in this Report both in connection with our General recommendations and with respect to specific submissions all the above points have been dealt with.

File Number: 200-21

Submission Number: 14

Counsel: R. W. Macaulay, Q. C.

Owner: Milani & Milani, Uplands Golf Course et al

Land (brief description): Various

Parkway Belt Location: General

Summary of Submission:

1. The Panel of Hearing Officers have first opportunity of objective view of Parkway Belt Plan, Government policy and the legislation implementing the Plan. Public participation or lack of it should not be too significant.
2. There is no evidence goals in the Plan are justified or attainable.
3. Did the Plan come first or the goals?
4. On how many goals does the Plan depend and how much is each case? Can the Plan be justified if one or more of the goals can be proven unattainable?
5. How is the cost of the proposal justified and what are the alternatives, if any, and the cost of each?
6. The Government has not made an inventory of what is involved in the Plan.
7. There is some justification for treating the Belt as a service corridor only.
8. They object to taking land into the Complementary Use Areas without having a specific and defined use for it.

9. The method of payment for the land is inequitable. There is then a general review of the specific goals as set out on page four of the Plan and the deficiency of each.

Exhibits: 52 Government Policy Statement on Loss of Development Rights (McKeough)

53 Table showing property breakdown Complementary and Public Use Areas.

Recommendation:

None

Reasons:

This Submission was of a general nature covering a wide spectrum of alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in the submission in our General recommendations on the Plan made elsewhere in this Report.

File Number: 300-1

Submission Number: 15

Counsel: G.J. Smith, Q.C.

Owner: Chadwill Coal Company Limited

Land (brief description): Part Lot A, Concession 4 F.T.H.

Part Lots 14,15, Concession 2 N.D.S

Etobicoke

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

Request to respond to presentation of Etobicoke later in June, 1976, and on the basis of what that submission may reveal.

Exhibit: 61 Letter of W.D. McKeough, January 15, 1976 and attachment

Recommendation:

None

Reasons:

The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.



File Number: 300-3

Submission Number: 16

Owner: J. Wallace Beaton - personally in support of Parkway Belt  
as it effects the Woodbridge Community

Land (brief description): General Woodbridge Area

Parkway Belt Location: Northern Link, 5

Summary of Submission:

1. The Plan protects the Woodbridge Community from any possibility of being "swallowed up" by Metropolitan Toronto urbanization, which protection is a stated objective of the Parkway Belt Plan.
2. It enhances the planned concept of Woodbridge as a "Greenbelt Village" type of Community.
3. It provides open space uses in the Humber Valley and its vicinity south of Woodbridge.
4. It locates the necessary service corridor, including expressway 407 and the electric power trunk lines, on the most practical and efficient route.

In addition the Province should consider the area just north of the Parkway Belt and to the south-east of Woodbridge for high intensity farm use to take the place of those lands lost for the utility corridors.

Exhibit: 62 Brief.

Recommendation:

None

Reasons:

This is a submission by a private citizen of the Woodbridge Area indicating general support for the concept of the Plan as it affects the district.

The points raised by this submission are in the main contained within the Plan as drafted and reference should be made to recommendations both specific and General elsewhere in the Report.

File Number: 300-5

Submission Number: 17

Agent: Brian Bailey

Owner: Norman H. Solmon

Land (brief description): Part Lot 5, Concession 8

Vaughan 21 acres ±

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The applicant respectfully submits to the Parkway Belt West Hearing Officers that for the following reasons his property should be deleted from the Parkway Belt:

1. The Parkway unnecessarily deprives the applicant from enjoying the right to develop his lands which has been his avowed purpose since 1963 when he acquired the property.
2. The deletion of 21 acres would not materially affect the thousands of acres that are presently within the Parkway Belt, within the Town of Vaughan, nor the total concept of Parkway Belt.
3. Access to the Parkway Belt from Kipling Avenue would be vehemently opposed by the Town of Vaughan due to the existing traffic problem at Highway 7 and Kipling Avenue.
4. The property immediately west of the applicant's property has been deleted from the Parkway Belt to a southerly boundary, that is immediately west of the southerly boundary of the applicant's property.
5. The applicant's property should be developed into prestige residential lots at a time wherein there is an acute housing shortage in the Region, particularly due to the fact that these lands are readily serviceable with existing water and sewers.
6. The cost of acquisition by the Province, by purchase or expropriation, at present Market Values of the applicant's lands, or the

damages resulting in "failure to purchase the lands by the Province" would result in the inclusion of the lands in the Parkway Belt, being considered likely uneconomical and irresponsible by the general public.

7. At a time when servicing costs of land are so high it does not make economic sense for the Province to remove serviced lands from the market, at a time when there is such a shortage of potentially serviceable land in the area, particularly when the Province of Ontario has adopted a restraint policy on expenditures.
8. Including this property in the Parkway Belt, effectively precludes the Town of Vaughan from being granted its request that this and similar small parcels on Kipling Avenue be deleted from the Parkway Belt, "in order to round out the community".
9. The subject property is at least one half a mile from the present proposed route of the Hydro line and deletion of these lands from the Parkway Belt should not in any way inhibit the location of the proposed Hydro line.

Exhibit: 64 Brief

**Recommendation:**

That the Plan be modified by deleting the whole of this property from the Design Area.

**Reasons:**

This property was designated in the Plan as part of the Humber River Public Open Space Area. The actual land however is located west of Kipling Avenue and is some distance from that river valley.

In the opinion of the Hearing Officers there is presently ample government owned property east of Kipling Avenue including the conservation

area south-east of these lands to provide for the separator function between the Metropolitan Toronto urban area and the built-up area at Woodbridge. Any ultimate development of the subject property would be controlled through the municipality and protection to the Rainbow Creek Valley (not mentioned in the Plan) would be achieved through subdivision control or development agreement.

It is to be noted in the subdivision that a small rectangular portion of the property of the owner outside the Design Area would appear to be landlocked should the boundary of the Plan remain as in the Draft.

In our opinion the inclusion of the whole or any part of this property has not been justified.



File Number: 300-8

Submission Number: 18

Counsel: H.M. Pollit

Owner: H.M. Pollit, Trustee

Land (brief description): Northerly  $\frac{1}{2}$  of Lot 14, Concession 7 E.H.S.  
Brampton 85 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

It is stated that the lands are totally unsuitable for either agricultural or recreational uses. They are suitable for low density industry uses.

The brief requests either the deletion of the property from the Complementary Use Area or broadening the permitted uses to include low density low coverage industrial uses to allow development in this manner as in the case of Kraft Foods just north on Goreway Drive.

Exhibits: 65 Brief

66 Ontario Regulation No. 394/76 Kraft Foods

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

It is the opinion of the Hearing Officers that with the proposed development allowed for Kraft Foods, the relocation of the Malport Terminal north of the Plan, and the fixed position of the 500kv right-of-way that

the CNR is not a logical southerly hard edge to the Design Area in this location.

Elsewhere in this Report General recommendations have been made with respect to the realignment of the proposed future utilities strip.

File Number: 300-11

Submission Number: 19

Counsel: G.J. Smith, Q.C.

Owner: Chadwill Coal Company Limited

Land (brief description): Part Lot 15, Concession 4

Etobicoke 11.945 acres

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

Requests that recommendation be made to delete the lands from the implementing controls of the Plan or to permit industrial zoning on the parcel. In the alternative, recommend the immediate acquisition of the property by the Province.

Exhibits: 67 Brief

68 Road Plan

68 (a) Road Plan (additional)

69 Scheme 4, Plot Plan for Development

Recommendation:

That the Plan be modified by deleting this land from the Design Area.

Reasons:

Based on the evidence adduced at the Hearing and visual inspection by the Hearing Officers we have concluded that inclusion of these lands is not justified to further the goals and objectives of the Plan.

The necessary expense involved in the purchase of this land (said to be in excess of \$1,000,000) is out of proportion to the public good that would be derived from the addition of these lands for park purposes.

File Number: 300-2

Submission Number: 20

Agent: H. Fogel

Owners: Enterprising Developments Limited

Crestmoor Construction Limited

Land (brief description): Enterprising, Part Lot 40, Concession 3

Etobicoke 1.3 acres

Crestmoor, Part Lot 40, Concession 2

Etobicoke 7 acres ±

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The parcel of Enterprising has been landlocked other than access through and over Parcel 2 (Crestmoor) as shown on Exhibit 70. This is a result of the expropriations for widening Highway 27 and Steeles Avenue. The owners request that the 100 foot utility corridor be taken and the remainder of the land be released for development in light industrial uses. In the alternative, if the 100 foot utility corridor were relocated northerly the property could be left out of the Plan entirely provided the CNR did not form the hard edge of the Plan as now envisaged

Exhibit: 70 Survey of lands

Recommendation:

That the Plan be modified by deleting these two properties from the Design Area, and relocating the 100 foot utility strip somewhere to the north.

Reasons:

This submission is part of a group of submissions in this area which have been dealt with collectively by the Hearing Officers. It is our opinion that the CNR Toronto By-Pass combined with the future utility strip does not form the most satisfactory hard edge



to the Belt in this location. Taking into consideration the very strong recommendations made to us by way of submissions by the above referred to group of owners, there would appear to be no justification for these lands to be included in a Complementary Use Area of the Belt. We would point out as well that the future utility strip west of the Claireville Conservation Area has been deleted from the Plan and general recommendations are made elsewhere in this report with respect to its relocation. It is our opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

File Number: 300-67

Submission Number: 21

Agent: Peter Allen, Commissioner of Planning, Region of Peel

Group: Regional Municipality of Peel

Lnad (brief description): Various

Parkway Belt Location: General

Summary of Submission:

The Brief states:

1. If Mississauga and the Region of Peel support development in the "Hole in the Donut":
  - (i) Expand the Southern Link of the Parkway Belt northerly as a Complementary Use Area between the Credit River and the Airport Mini-belt.
  - (ii) Create a Credit River Valley Mini-belt between the Northern and Southern Links.
2. Expand the Credit River/Mullett Creek Public Open Space Area to include related institutional and recreational uses to the south.
3. Relocate the QEW/Hwy 401 Link extension to the west in anticipation of urbanization in that area of Peel to provide adequate buffering.
4. Establish a formal liaison committee from staff of Ministry of Transportation and Communications, Parkway Belt and the Regional Transportation System.
5. Amend certain City of Mississauga boundaries.

Exhibits: 71 Brief of Region

72 Parkway Belt Plan within Peel

Recommendation:

None

Reasons:

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 300-9

Submission Number: 22

Owner: H. M. O'Neil

Land (brief description): Part Lot 3, Concession 1, N.D.S.

Mississauga 10 acres ±

Parkway Belt Location: Southern Link, Map 3

(North of Erindale Campus)

Summary of Submission:

The owner's concern is for the land, in part (some 2.75 acres) within the Design Area. He submits there is ample parkland available north of Highway 5 along Mississauga Road to Eglinton that is readily accessible and that his lands, in part included, are not required for the Parkway Belt. He requests that the Design line be rolled back to exclude his property.

Exhibit: 73 Plan of Lands (O'Neil)

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

The need to include this portion of the land in Public Open Space has not been justified. Protection to the Creek valleys in this area can be adequately provided by local regulations.

File Number: 300-10

Submission Number: 23

Counsel: J. Perkins

Owner: Valentine Developments

Land (brief description): Part Lots D, E, and F, Concession 2

Etobicoke 72.4 acres

Parkway Belt Location: Southern Link, Map 3

(Centennial Park Etobicoke Creek Public Open  
Space Area)

Summary of Submission:

The owner presented a plan to the Province in August 1974 for partial development of the property and partial sale and dedication to the Province which proposal was refused.

He requests either the lands be released from the Plan or in the alternative, immediately purchased by the Province.

Exhibit: 74 Background Summary and Correspondence attached

Recommendation:

That the Plan be accepted for these lands.

Reasons:

The property herein will ultimately be purchased by the Province as Public Open Space to add to the substantial Provincial holdings to the north and east for the ultimate extension of Centennial Park. The Etobicoke Creek borders the land in part on the west and is an effective boundary being the municipal boundary between Etobicoke and Mississauga, and accordingly the subject property is isolated as far as considering development is concerned.

As has been pointed out, General Recommendations as to the staging of Provincial acquisition are to be found elsewhere in this Report.



File Number: 300-12

Submission Number: 24

Counsel: W.C. Graham, Q.C.

Owner: Algonquin Building Credits Limited

Land (brief description): Part Lots 2 and 3, Concession 6

Vaughan 186 acres ±

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

There appears a possibility that the property owned could be developed as a Hardee Food Distribution and Processing Plant as planned by the owner. Owner requests that after land is acquired for proposed Highway 407 the remainder in the Complementary Use Area be allowed to develop in a low intensity, low density, industrial use. In the alternative the Province should purchase the entire holding of the owner as any remaining land in the Complementary Use Area could not feasibly be used for agricultural production.

Exhibit: 75 Brief

#### Recommendation:

That the Plan be accepted for this property.

#### Reasons:

The Parkway Belt in this location defines the northern limit of the Metropolitan Toronto urban area. The property will in part be purchased by the Province for linear facilities for future Highway 407 and the 500kv line.

The remaining property of the owner presently designated for agricultural uses will perform the urban separator or capping function in accordance with the goals and objectives of the Plan. This submission requests that industrial uses as a low density and low intensity nature be allowed for this Complementary Use Area, but this is inconsistent at this time with any such proposal of the municipality. Elsewhere in this Report the

Hearing Officers have made General recommendations with respect to permitted uses in Complementary Use Areas.

File Number: 300-14

Submission Number: 25

Counsel: E. A. Goodman, Q. C.

Owner: Cape Horn Limited

Land (brief description): Part Lot 40, Concession 4 F.T.H  
Etobicoke 80 acres more or less

Parkway Belt Location: Northern Link, Map 4  
(east of Claireville Conservation Area)

Summary of Submission:

Certain of the owner's property is to be acquired for Highway 407/427 interchange purposes and the remainder to be in the Complementary Use Area. The submission is that the 100 foot utility corridor should be reserved on the north side of Highway 407 and the lands of the owner deleted entirely from the Parkway Belt Design Area. In the alternative redefine the uses in the Complementary Use Area to include a number of low coverage, low profile, high amenity industrial and commercial uses.

Exhibits: 76 Brief

76A Schedule "A" to Brief

76B Aerial Photo (existing land uses)

77 Notice of Public Meeting (Etobicoke)

78 District 9 Plan Etobicoke

79 (a & b) Planning Report and Council  
Resolution (Etobicoke)

80 Etobicoke Response to Parkway Belt  
Draft Plan

86 Appraisal Report Valuations

Recommendation:

That the Plan be modified as it relates to these lands by deleting from the Design Area that portion of the property lying east of the lands required for the Highway 427/407 interchange and the utilities corridor be located elsewhere.

Reasons:

The portion of the owners property deleted from the Design Area is in our opinion unnecessary for the achievement of the goals and objectives of the Plan in this area.

Recommendations have been made with respect to other submissions in this area for elimination of the southern hard edge of the Belt represented by the CNR Toronto By-Pass and utilities corridor.

In confirming the Plan for the remainder of the lands it is to be noted that the property required for the 427/407 interchange will be acquired and General recommendations have been made elsewhere in this Report as to the permitted uses to be allowed in the Complementary Use Areas.

File Number: 300-66

Submission Number: 26

Counsel: E. A. Goodman, Q.C.

Owner: Paramount Development Corporation Limited

Land (brief description): Part Lots 39 & 40, Concession 3 F.T.H.  
Etobicoke 77 acres more or less

Parkway Belt Location: Northern Link Map 4 (East of Claireville)

Summary of Submission:

The subject property is flat and virtually featureless and unsuitable for reasonable development for recreational, commercial uses, or agriculture. The property is attractive due to its location for Industrial Uses. The submission requests that such uses be recommended as are permitted in certain Complementary Use Areas on a low density low intensity basis. In the alternative delete the lands from the Parkway Belt Design Area.

Exhibits: 83 Brief

84 (a) & (b) Map of Subject Lands

85 Letter to Planning Department

Etobicoke RE: Industrial Use Plan  
(1970)

Recommendation:

That the Plan be modified by deleting this property from the Design Area and relocating the 100 foot future utility strip somewhere to the north.

Reasons:

This submission is part of a group of submissions in this area which have been dealt with collectively by the Hearing Officers. It is our opinion that the CNR Toronto By-Pass combined with the future utility strip does not form the most satisfactory hard edge to the Belt in this location.



Taking into consideration the very strong recommendations made to us by way of submissions in this area by the Borough of Etobicoke and the continuity in the submissions by the above referred to group of owners there would appear to be no justification for these lands to be included in a Complementary Use Area of the Belt. We would point out as well that the future utility strip west of the Claireville Conservation Area has been deleted from the Plan and general recommendations are made elsewhere in this Report with respect to its relocation.

It is our opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

File Number: 300-13

Submission Number: 27

Counsel: E. A. Goodman, Q. C.

Owner: Glen Ash Developments

Land (brief description): Part Lot 2, Concession 9,

Vaughan 77 acres more or less

Parkway Belt Location: Northern Link, Map 4

(East of Claireville Conservation Area)

Summary of Submission:

Considerable land has been acquired from the owner by the Province for its purposes for highways. The remaining parcel of 77 acres is unsuitable for viable agricultural uses.

It requests that the remaining 77 acres be taken for future Provincial uses or in the alternative extend the uses in the Complementary Use Area for very restrictive high quality Industrial or Commercial development.

Exhibits: 81 (a) Plan of Survey

81 (b) 2 parts

82 (a) Letter to DHO

82 (b) Reply from DHO, 1971

82 (c) Letter from DHO October 1971

82 (d) Reply to DHO October 1971

82 (e) Offer to Purchase 111 acres

(@ \$11,000 per acre March 22/72)

Recommendation:

That the Plan be accepted for this property.

Reasons:

This vacant parcel of land is on the east side of Highway 50 across from the major Claireville Conservation Area. It is our opinion that the designation is justified here by providing for compatible or Complementary Uses in any ultimate development of these lands. It is to be noted that the property which forms a remnant parcel of the owner is completely surrounded by lands in public ownership. Elsewhere in this Report General recommendations are made with respect to permitted uses in Complementary Use Areas.

File Number: 300-15

Submission Number: 28

Counsel: R.B. Robinson, Q.C.

Owner: Markpal Holdings Limited

Land (brief description): Part Lot 40, Concession A F.T.H.

Etobicoke 28.116 acres

Parkway Belt Location: Northern Link, Map 5

(south of Landfill Area)

Summary of Submission:

The owner requests to be excluded from the Parkway Belt Plan for the following reasons:

1. Land now zoned for high density residential uses and for practical purposes fully serviced.
2. Taking land would eliminate badly needed housing units.
3. Plans for development have been circulated to all relevant authorities and at no time was a conservation or open space use suggested.
4. The boundary of Metropolitan Toronto in this area is Steeles Avenue.
5. All lands above the 445 foot contour have been returned to the owner by the Conservation Authority.
6. 40% of the lands have already been designated for dedication for park purposes at no cost under the present plan for development.
7. The cost of acquisition would be prohibitive and out of all proportion to the value of adding this acreage to the Parkway Belt Plan.
8. Evidence before the Hearing Officers shows that the major portion of this property has been rezoned (Etobicoke By-law 2110) for high density residential uses at 60 units per acre, thereby increasing the value of these 23 acres to approximately \$7,000,000. In addition a development agreement is in effect between the owner and the municipality, land dedications have been arranged for park purposes, and

over \$170,000 in municipal levies has already been paid.

Exhibits: 87 Brief

88 Original Plan of Development

89 Original Site Plan

90 Final Proposed Development Plan

91 Final Site Plan

92 Official Plan Amendment No. 222, Etobicoke

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

This particular property is in the final stage of development for intensive residential use as indicated by the above summary. The very high value presently attached to the lands is wholly disproportionate to the public benefit that might be derived through acquisition by the Province.

The answer to Question 10 of Exhibit 529 posed by the Hearing Officers illustrates the concurrence of the Presenting Panel in the recommendation herein. Owing to the extensive public holdings adjoining and to the north there is no justification for the inclusion of these lands in the Design Area for public use.



File Number: 300-21

Submission Number: 29

Counsel: R.W. Cosman

Owners: Tuscany Developments Limited

Golf Valley Developments

Land (brief description): Part of West  $\frac{1}{2}$  Lot 15, Concession 1 E.H.S.

Brampton 52.4 acres

Parkway Belt Location: Northern Link, Map 4

(north of Peel County Court House)

Summary of Submission:

It would appear that a consortium of owners were developing plans and conducting studies for a development of a Regional Centre Complex involving the subject property. The owner requests that the Design Area of the Parkway Belt Plan be amended and reduced to include the Valley lands to "top of bank" only and that the 300 feet to 500 feet of table lands be released to the owner. Public access to the valley could be provided along with height restrictions and location of buildings through local authorities and Parkway Belt Staff when development commences.

Exhibit: 93 Brief

Recommendation:

That the Plan be modified by deleting from the Design Area all of those lands of the owners lying south of "top of bank" as determined by the Metropolitan Toronto and Region Conservation Authority.

Reasons:

This amendment would not offend any of the goals or objectives of the Plan and would eliminate the necessity for the Province to purchase approximately 15 acres of what could be very costly developable land.

A large portion of this owner's land fronts on Highway 10 and is not included in the Design Area. It would appear to the Hearing Officers that the only justification for including any of this property in the

Design Area is to satisfy the specific objective of protecting the Etobicoke Creek Valley, however it is our opinion that this objective can be achieved within the controls exercised by the Metropolitan Toronto and Region Conservation Authority. It is further our opinion that any proposed Public Use of this Creek Valley can be adequately accommodated and serviced by the existing Public ownership in this area.

File Number: 300-54

Submission Number: 30

Owner: W. M. Bebluk, New Woodbine Motel

Land (brief description): Part Lot 2 Concession 8

Part Lots 2 & 3 Concession 9

Vaughan 5.111 acres

Parkway Belt Location: Northern Link, Map 4

(West of Claireville station)

Summary of Submission:

The problem of the owner is to acquire municipal services (water and sewer). His land is in a Complementary Use Area restricting expansion, and he is surrounded by Government owned property and immediately across from the soon to be expanded Claireville Hydro Station and therefore feels locked in.

Exhibits: Nil

Recommendation:

That the Plan be accepted for this property.

Reasons:

The subject property is surrounded by Government owned lands and is designated as an isolated pocket of Complementary Use as a result of the extensive Government acquisitions in this area. We have great sympathy for the representations made by the owner, but it would appear his major concern and difficulty is with the provision of water and sewer services from the municipality, a matter over which we have no jurisdiction.

The possibility exists according to the Presenting Panel of the Province that his private sewage system could be extended, by the leasing of Government owned lands.

Much consideration was given to this submission and the obvious

plight of the owner. To exclude him from the Plan would give him no more benefit than our recommendation herein. In the alternative to designate the lands Public Open Space would not ensure his qualification for ultimate purchase in any event.

File Number: 300-57

Submission Number: 31

Agent: Andrew Redman,

Group: Malton Residents Malport

Resistance Group Incorporated

Land (brief description): Various

Parkway Belt Location: Northern Link, Map 4

(Malton)

Summary of Submission:

The Group is opposing the possible location of the CNR Malport Intermodal Terminal in an area in the Parkway Belt immediately north of the CNR right-of-way north of the Malton Community. They suggest such a terminal would be incompatible with Parkway Belt uses in a Complementary Use Area. They request the terminal be relocated possibly at the CNR Yards at Maple.

Exhibits: 94 Brief & Petition

Recommendation:

None

Reasons:

No recommendation is necessary as a result of the proposed relocation of the Malport Intermodal Terminal.



File Number: None

Owner: Mrs. Marilyn Vaters

7639 Kittridge Drive

MALTON

Land (brief description): as above

Parkway Belt Location: Northern Link, Map 4 (Malton)

Summary of Submission:

This individual owner and ratepayer is located some 100 to 150 feet from the CNR railway line forming the southern hard edge of the Northern Link of the Parkway Belt. She is opposed to the possible location of the Malport Terminal in the Complementary Use Area of the Parkway Belt.

Exhibit: Nil

Recommendation:

None

Reasons:

No recommendation is necessary as a result of the proposed relocation of the Malport Intermodal Terminal.

File Number: None

Owner: David Busby

85 Brittainia Road, West,  
Streetsville, Ontario.

Land (brief description): Malton Area

Parkway Belt Location: Northern Link, Map 4 (Malton)

Summary of Submission:

The ratepayer expresses his concern for the residents of Malton area at the possible location of the CNR Malport Terminal in the Parkway Belt Planning Area north of the Community. He is opposed to such location and use in the Belt.

Exhibit: Nil

Recommendation:

None

Reasons:

No recommendation is necessary as a result of the proposed relocation of the Malport Intermodal Terminal.

File Number: 300-19

Submission Number: 34

Counsel: Patrick Bradley

Owner: Runnymede Development Corporation Ltd.

Land (brief description): 1. Winston Churchill Blvd.

Part Lots 13 and 14, Concession 6

Mississauga 133 acres

2. Claireville (Faye Tanenbaum)

Lots 39 and 40, Concession 4 F.T.H.

Etobicoke 55 acres ±

3. Airport Road

Part Lot 1, Concession 7

Brampton 150 acres ±

Parkway Belt Location: Northern Link, Map 4

#### Summary of Submission:

The owner submits three individual written submissions the first ten pages of each brief being identical and related to the three parcels above described. The submission is that there are alternative proposals set forth for each property which could change the Parkway Belt Plan without affecting its integrity. See File 200-8, Submission 10 to the General Submissions for Exhibit 49, setting out the deficiencies in the Parkway Belt Plan in general.

Alternative alignments and proposals are set out in the three briefs, (Exhibits 104, 105, and 106) which alter the Parkway Belt Plan and leave lands available to the owner for Industrial or Commercial development if remnant parcels are removed from the Design Area or the Complementary Uses are expanded to permit such development.

Exhibits: 49 (from Submission 10, File 200-8)

104 Brief, Winston Churchill Lands

- 105 Brief, Claireville Lands
- 106 Brief, Airport Road Lands
- 107 Aerial Photo Overlays
- 107(a) Cross section of Alternative Route
- 108 Claireville Land
- 108(a) Two overlays
- 109 Airport Road Land and overlays
- 124 Government Response to Runnymede Proposals
- 136 Brief in Response to Provincial Comments

Recommendation: (Property No. 1 - Winston Churchill Boulevard)

That the Plan be modified by deleting from the Design Area all the lands of this owner lying south of the south limit of the modified 500kv Hydro alignment as accepted by the Honourable the Minister of Energy.

Reasons:

The south limit of the proposed Hydro right-of-way forms the southerly hard edge through most of the western portion of the Northern Link of the Parkway Belt. In accordance with the Hydro realignment in the Winston Churchill Boulevard area, instigated by the land owners there, and concurred in by the Honourable the Minister of Energy, we are of the opinion that there would be no justification for now retaining any lands south of this realigned corridor in the Design Area.

Recommendation: (Property No. 2 - Claireville)

That the Plan be modified for this property by designating as Complementary Use that part shown on the Plan to be acquired for the future utility strip.

Reasons:

This property is located immediately south of the old village of Claireville and will be bounded on the east by future Highway 427, these latter lands to be acquired by the Province. Immediately west and across Indian Line is a major public use and open space area shown on the Plan as the Claireville Conservation Area.

It is our opinion that the designation is justified here to protect the surrounding area by providing for compatible or Complementary Uses in any development of these lands. Elsewhere in this Report General recommendations are made with respect to the permitted uses in Complementary Use areas. The deletion of the utility strip is to provide consistency in our recommendations in this general area and the area west of Claireville Conservation Area.

Recommendation: Property No. 3 (Airport Road)

That the Plan be modified by amending the text to provide a specific policy which would permit on the lands remaining to the owner after the acquisition of linear facilities industrial development having a maximum lot coverage of 25%.

Reasons:

While we recognize that these lands have been purchased by the Province, a major portion of the lands will be needed for linear facilities and taking into consideration the above factors we are of the opinion that there is no justification for restricting the uses on the remnant parcel of Complementary Use lands to those as presently contemplated by the Draft Plan. We are satisfied on the evidence presented that the property would not be suitable in this location for agricultural uses.



The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.

5. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

File Number: 400-50

Submission Number: 35

Counsel: E.A. Goodman, Q.C.

Owner: The Cadillac Fairview Corporation Ltd.

Land (brief description): Part of Lots 13 and 14, Concession 2 E, and  
Part of Lot 13, Concession 6 W.H.S.

Mississauga 115.5 acres

Parkway Belt Location: Northern Link, Map 4

(at Winston Churchill Boulevard)

Summary of Submission:

The subject lands of the owner are located on both sides of Winston Churchill Boulevard and are severely affected by the Parkway Belt Plan designated route of the Hydro 500kv line. Reference is made to the Solandt Report on the proposed routing of Hydro and a specific alternative is submitted to change the 500kv route to the north-west of Winston Churchill Boulevard to virtually eliminate the effect on the subject property leaving it out of the Plan for future Industrial use for which it is presently zoned.

Exhibits: 95 Notices under Expropriations Act, Section 6.2

96 Appointment of Enquiry Officer and Notice of Hearing

97 Brief

98 Aerial Photo Subject Land and Area Surrounding

98(a) Overlay for above

98(b) and (c) Additional overlays (2)

99 Map 1, Solandt Report

100 Statement of Ministry of Energy (McKeough) adopting  
Solandt Report

101 Location Map, Erin Mills

102 Comparative Cost Analysis

103 Cost Estimates (2 routes)

104 Qualifications of Witness (Mroz)

Recommendation:

That the Plan be modified by deleting from the Design Area all lands of this owner lying south of the south limit of the modified 500kv Hydro alignment as accepted by the Honourable the Minister of Energy.

Reasons:

The south limit of the proposed Hydro right-of-way forms the southerly hard edge through most of the western portion of the Northern Link of the Parkway Belt. In accordance with the Hydro realignment in the Winston Churchill Boulevard area, instigated by the land owners there and concurred in by the Honourable the Minister of Energy, we are of the opinion that there would be no justification for now retaining any lands south of this realigned corridor in the Design Area.

File Number: 300-17

Submission Number: 36

Counsel: W. P. Butler

Group: Borough of Etobicoke

Land (brief description): Various

Parkway Belt Location: General

#### Summary of Submission:

The Borough made various general representations as to lands in the Parkway Belt Plan and their acquisition along with recommendations as to certain Highway and road alignments and the following is a brief summary:

1. Acquire the lands in the Centennial Park Area for expansion of this Public Open Space section (including Kidlark 300-10 Valentine Developments) and discontinue what is described as destructive dumping.
2. Include Chadwill Coal Company and Wludyka lands in the Parkway Belt Plan as Public Open Space rather than Markpal Holdings Property.
3. Place the future utilities corridor shown through Centennial Park as following existing Hydro lines to the north to border the future urban transit corridor.
4. Permit the extension of Fieldgate Road across the Parkway Belt to connect to Eglinton Avenue or a new arterial Road.
5. Let Centennial Park Road cross the Parkway Belt Link.
6. Clarify the Nature Trail connection between Mimico Creek and the Humber River.

This concludes comments on Etobicoke District 8.



7. Permit single family dwellings on the Old Albion Road frontage in the village of Claireville as infilling only along with compatible commercial uses.
8. Redesignate the land in the "Wye" in exhibit 121 from Complementary Use Area to Public Open Space.
9. Permit certain commercial and recreational uses that will complement the Claireville Conservation lands and extend the Complementary Uses to include institutional uses.
10. Permit a parkway industrial use in certain areas east of highway 427.
11. Include small portion of land created by realignment of Steeles Avenue in the Parkway Belt and designate as Public Open Space. (This is included according to Government panel as province was in error here).
13. Exclude the Markpal Holdings property from the Parkway Belt Plan and reallocate money to be used here for purchase of Chadwill Coal property.

Exhibits:

112	Report on Interim Parkway Belt Plan (July 22/75)
113	Letter Robert Welch 22/2/74 + att.
114	Letter McKeough Aug. 29/75 + att.
115	Letter Kevin Lethbridge Oct/10/75 + att.
116	" " " Feb/25/76 " "
117	Memo to Planning Bd 29/1/76 + att.
118	Parkway Belt Study
119	McMaster Montgomery letter 30/3/76

Exhibits: 120 Map att. A Centennial Area  
121 " " B North Etobicoke  
122 Land Use Plan (Chadwill Coal)

Recommendation:

None

Reasons: (the reasons have been set out in numerical order in accordance with the summary above)

- (1) Reference should be made to the recommendations contained in Submission Number 23.
- (2) The Hearing Officers have no jurisdiction to include these lands which are outside the Belt. Also, see Submission Numbers 15 & 37.
- (3) These four matters involve the detailed design and implementation of the Plan and will involve the municipality in the ultimate
- (6) amendment to its Official Plan and zoning by-laws in conformity with the final Plan. Reference should also be made to the following Submissions in this Report: 19, 44, 53, 54, 206 and 237 wherein the Hearing Officers have made certain recommendations bearing directly on this area.
- (7) Notwithstanding that infilling of residential development and
- and necessary commercial uses to serve such may be allowed by
- (9) implication under the existing Plan or be deemed not to conflict with the Plan under Section 9 (2) of the Ontario Planning and Development Act the Hearing Officers have made general recommendations concerning permitted uses in Complementary Use areas elsewhere in this Report.
- (8) It is our opinion this land is already protected by the Complementary Use regulations.

- (10) Reference should be made to our recommendations in Submission Numbers 20, 25, 26, and 34. Specific recommendations for Parkway industrial uses have been made for other lands within the Belt. By excluding or deleting properties from the Design Area the normal municipal process will allow whatever proper uses industrial or otherwise that may be compatible with the specific area involved.
- (11) The ultimate design and implementation process after acceptance of the Plan will satisfy this submission.
- (12) We have no jurisdiction to deal with lands outside the Design Area. See Submission Number 236.
- (13) These lands have been excluded in accordance with our recommendation contained in Submission Number 28.
- Also see Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: None

Submission Number: 37

Counsel: Mrs. Jean McNeil

Owner: Walter Wludyka

Land (brief description): 4.5 acres immediately East of Centennial  
Park and at the South-east corner of  
Chadwill Coal

Parkway Belt Location: Southern Link, Map 3  
(East end)

Summary of Submission:

The owner originally purchased some 17 acres of property in this area 18 years ago with intention to ultimately develop same. Some 12 acres were expropriated for the purpose of a school site by the Board of Education and a further parcel 100 feet by 150 feet was taken by Etobicoke for a Fire Hall site leaving the owner with the remnant of 4.5 acres.

The original intent was to develop lands in housing uses and subsequently the owner thought industrial uses would be permitted. Now the municipality suggests it be parkland.

The owner wishes the land to be left out of the Parkway Belt.

Recommendation:

None.

Reasons:

The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 300-40

Submission Number: 38

Counsel: George Struk

Owner: Mill Pond Developments Limited

Land (brief description): Part of East  $\frac{1}{2}$  Lot 13, Concession 1 E.H.S.  
Brampton 12.406 acres

Parkway Belt Location: Northern Link, Map 4

(immediately east of Brampton Golf Course)

Summary of Submission:

The owner's land fronts on the First Line East and is surrounded by the Brampton Golf Course. The Parkway Belt designation shows the land in a Complementary Use Area thereby limiting development.

The request is to apply higher intensity uses in the Complementary Use Area and enlarge the list of such permitted uses or in the alternative exempt or exclude the land from the Parkway Belt Plan.

Exhibit: 125 Brief

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

There has been no justification made by the Presenting Panel for the inclusion of these lands in the Complementary Use designation of the Plan. This is a small acreage (to be left in private ownership) surrounded by Public Use Areas and such would appear to be the only reason for its inclusion in the Belt.



File Number: 300-33

Submission Number: 39

Agent: Stanley Leibel

Owner: Glen Cove Developments Limited

Land (brief description): Lots 1, 2 and 3, Concession 3, E. H. S.

Mississauga 420 acres ±

Parkway Belt Location: Airport Mini-belt, Map 8

Summary of Submission:

Originally the land acquired constituted some 500 acres but 80 acres have been acquired by the Province for the Highway 403 extension. The lands are presently zoned Agricultural and are so designated by the Official Plan. Full services are available at the present time. The property has also been released from the airport noise regulations.

Some 235 acres east of the Highway 403 extension have been approved for an Industrial Subdivision with a new road (Matheson Rd.) through the plan.

The developer wishes to know when the remaining lands will be purchased by the Province. It is to be noted this remnant parcel is in the "Hole in the Donut" and heavily wooded.

Recommendation:

That the Plan be modified by deleting the Public Use Area west of the 120 foot transmission line as shown on the Plan from the Design Area.

Reasons:

This Mini-belt is essentially a multi-purpose transportation and utility corridor. It has not been justified to the Hearing Officers that the Public Use Area extending west of the transmission line is required to further the goals and objectives of the Plan.

The implied public benefit of including these lands in the Design Area cannot, in our opinion, be justified by the expense of acquisition. It is to be noted that the "Hole in the Donut" is intended to remain undeveloped in the foreseeable future.

Agent: Michael Welch

Owners: Centario Development Corporation Limited (300-35)

Bobacand Ventures Limited (300-36)

Southdown Villas (400-39)

Land (brief description): Part of Lots 3 and 4, Range 4, N.D.S.

Mississauga 41.9 acres

Centario 24.1 acres

Bocaband 10 acres

Southdown 7.8 acres

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The owners all have a common interest and have adjoining properties only partly in the Design Area of the Parkway Belt Plan immediately west of the Credit River Mullet Creek Public Open Space Area. They request as follows:

1. The Design Area be confirmed as including only the lands below "top of bank".
2. Suitable compensation be paid for valley lands at a convenient time so development may proceed.
3. Clarification be sought as to exact meaning of Parkway Belt Plan Section 6.2.3. (m).
4. The exemption of the table lands allowed recently to Centario be extended to the Bocaband and Southdown lands.

Exhibit: 126 Brief

Recommendation:

That the Plan be accepted for these properties.

Reasons:

The Plan as proposed is necessary for the protection of the Credit River Valley.

It has been indicated by the brief in connection with this submission that pressure for development is occurring in this area. In our opinion there is adequate justification for the Public Open Space designation for part of the land as shown in the Draft Plan.

It would appear that a portion of the lands required for Public purposes will ultimately be purchased, and we have made General recommendations elsewhere in this Report pertaining to the staging of such acquisitions.

The clarification sought in respect to Section 6.2.3. (m) of the text will be the subject of local regulations at the time of the implementation of the Plan.

File Number: 300-28

Submission Number: 41

Agent: Michael Welch

Owner: Dequincy Investments Limited

Land (brief description): Part of the South  $\frac{1}{2}$  of Lot 13, Concession 1 W.H.S.  
Brampton 91.9 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

Some 38.9 acres will be acquired by the Province for the future route of Highway 407 and much, if not all the property frontage on Highway 10 will be taken thereby limiting development. The submission makes the following points:

1. Unless the lands are acquired very soon allow development to proceed.
2. Assurances should be given as to the timing of acquisition and basis of compensation.
3. Give immediate exemption from the Parkway Belt regulations to lands not required for Highway 407.
4. Provide some safeguards to the owner for access to Highway 10.

Exhibit: 127 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

Acquisition of some 38.9 acres will ultimately be required for the linear facilities in this area. In these negotiations the owners will be protected with respect to access otherwise their property would be left land-locked and purchased in total.

We have made General recommendations elsewhere in this Report as to the staging and timing of acquisition and with respect to the Regulations covering the Planning area of the Plan.



File Number: 300-38

Submission Number: 42

Agent: Michael Welch

Owner: Ventro Construction Limited

Land (brief description): Part Lot 8, Concession 2 N.D.S.

Mississauga 106.24 acres

Parkway Belt Location: Southern Link, Map 3

(Tomken Road at Burnhamthorpe)

Summary of Submission:

The owner is in the process of developing a residential subdivision plan which will abut a proposed 200 foot arterial road and 100 foot transit corridor in the Parkway Belt Plan at this location. Requests:

- (1) Unless there is immediate acquisition of the lands let development proceed and be finalized on normal planning principles .
- (2) Firm assurances to be given as to timing of acquisition and basis of compensation so as not to inhibit final processing of subdivision application.

NOTE: The concern here appears to be a very slight variance between the Planning and Design Area of the Parkway Belt Plan.

Exhibit: 128 Brief

Recommendation:

That the Plan be accepted for these lands.

Reasons:

Only a small portion of this property lies within the Design Area (7.5 acres) and this will ultimately be purchased for the linear facilities in the Plan. Reference is made elsewhere in this Report to proposed staging of acquisition, and in the meantime the developer herein can proceed according to municipal regulations with the remaining major portion of his property for the proposed subdivision.

File Number: 300-37

Submission Number: 43

Agent: Michael Welch

Owner: Kenley Developments Limited

Land (brief description): Part Lot 9, Concession 2 N.D.S.

Mississauga 6.05 acres

Parkway Belt Location: Southern Link, Map 3

(Tomken Road at Parkway Belt)

Summary of Submission:

The property abuts the Parkway Belt Planning and Design Area just west of Tomken Road and some 2.16 acres are to be acquired at an angle across the lands. The owner requests:

- (1) Unless acquisition is immediately forthcoming then applications for alternative development should be allowed to proceed
- (2) Firm assurances be given as to timing of purchase and basis of compensation and that these not inhibit final processing of the outstanding subdivision application.

Exhibit: 129 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

A major part of this property lies within the Design Area and will ultimately be purchased for linear facilities in the Plan.

Reference is made elsewhere in this Report to proposed staging of acquisition.

File Number: 300-6

Submission Number: 44

Agent: K. Hack

Group: Centennial Community Association

Land (brief description): Woodward Green 65 acres

(adjacent to Centennial Park, Etobicoke)

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

This unincorporated group is a respected ratepayers association within Etobicoke representing those persons living directly south and southeast of the Toronto International Airport.

The Association is pleased with the proposed acquisition of lands to the west of Centennial Park as proposed by the Parkway Belt Plan thereby approximately doubling the size of the park.

They request inclusion in the Plan of the approximate 65 acres east of the Park (i.e. Chadwill Coal and Wludyka lands).

Exhibit: 130 Brief

Recommendation:

None

Reasons:

This organization has requested inclusion of additional lands in the Plan not now shown in the Design Area. The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and Mcrae et al.

File Number: 300-68

Submission Number: 45

Agent: Owens MacDonald

Owner: G. E. H. Shaw

Land (brief description): 1.675 acres (Steeles & Indian Rd.)

Claireville Village

Private Open Space

East side Claireville Conservation Area

Parkway Belt Location: Northern Link, Map 4

#### Summary of Submission:

The owner requests that the lands be removed or excluded from the Parkway Belt Design Area as he has two proposed purchasers one of whom would operate a fruit stand operation, the other for the construction of two residential dwellings on the property.

Exhibit: 131 Survey & Brief

#### Recommendation:

That the Plan be accepted for this property.

#### Reasons:

This land is presently designated as Future Public Open Space and is the only privately owned land so designated on the westerly side of Indian Line abutting the Claireville Conservation Area.

Under the Plan as proposed the owner can make no economic use of this land. The prospects for ultimate purchase by public authority seem remote. Elsewhere in this Report recommendations are made with respect to the staging of public purchase.

File Number: 300-46

Submission Number: 46

Counsel: R.R. Elliott

Owner: Queensgate Investments Limited

Land (brief description): Part of East  $\frac{1}{2}$  Lot 14, Concession 2 E.H.S.  
Brampton 104.1 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The owner recognizes the value in the Parkway Belt Plan in protecting the Etobicoke Creek Valley between the tops of the banks. The Public use of the property may be of little value and the taking of 300 feet of tableland is not necessary and in this case unreasonable. None of the Parkway Belt Plan objectives would be achieved by this acquisition of the tableland. Protection of the Creek is provided by the Metropolitan Toronto and Region Conservation Authority.

The owner requests reduction or elimination of requirement of tablelands and/or immediate release for development of the remaining area.

Exhibit: 132 Survey of Subject Land

Recommendation:

- (1) **That** the Plan be accepted as it concerns the owner's lands required for the Highway 410 right-of-way and interchange.
- (2) That the Plan be modified by deleting from the Design Area all of those lands of the owner lying north of "top of bank" as determined by the Metropolitan Toronto and Region Conservation Authority.

Reasons:

There is an obvious necessity for the retention of the linear facility in this area and that will be subject to detailed design at a later date.

With respect to the tablelands however, the owner's property is so fragmented by Highway requirements that we see no justification for the



Provincial acquisition of what may be costly and developable lands in this area. It is to be noted that a large portion of the owner's property lies outside the Design Area, and the inclusion of the small area for Public Use here would do nothing to further the basic objectives of the Plan.

File Number: 300-45

Submission Number: 47

Counsel: R.R. Elliott

Owner: Upper Nine Properties Limited

Land (brief description): Part Lot 13, Concession 1 E.H.S.

Brampton 102 acres

Parkway Belt Location: Northern Link, Map 4

(south of Peel Court House)

Summary of Submission:

The owner requests exemption from the Planning Area so development can proceed without delay. The concern here is with the very small area of land between the Design Area and the Planning Area (red line) which is restricted due to the Parkway Belt Plan Regulations but will be released on approval of the Design Area.

Exhibit: 133 Survey of Lands

Recommendation:

That the Plan be accepted for this property.

Reasons:

We are advised that upon acceptance of the Plan it is the intent that the lands outside the Design Area be released from the Regulations and in the meantime application for such may be made to the Minister. We will be making General recommendations in this respect elsewhere in this Report.

File Number: 300-43

Submission Number: 48

Counsel: R.R. Elliott

Owner: Moonbeam Holdings Limited

Land (brief description): Part of Lot 14, Concession 2 E.H.S.

Brampton 57.204 acres

Parkway Belt Location: Northern Link, Map 4

#### Summary of Submission:

The lands have in total been designated Public Open Space by the Parkway Belt Plan and the owner applied for exemption to develop in industrial uses. An easement through the land is provided for a trunk sewer, and the owner retains access to the system. The company's lands were affected by the Highway 407/410 interchange which was purchased by the Ministry of Transportation and Communications. The 57 acre parcel more or less is that part now remaining to the owner and the Government has not indicated a willingness to purchase it at this time.

The submission makes the following points:

- (1) The preferred use is prestigious industrial uses because of the character of the area, e.g. Highway proximity, serviceability, Hydro, etc.
- (2) The property is not required as supportive of Etobicoke Creek Valley Uses.
- (3) Industry would not compromise the Parkway Belt Plan in this Area and the owner wants exclusion.

Exhibit: 134 Aerial Photo and overlays

#### Recommendation:

That the Plan be modified by deleting from the Design Area all those lands of the owner lying south of "top of bank" as determined by the Metropolitan Toronto and Region Conservation Authority.

Reasons:

The goals and objectives of the Plan are adequately met for the protection of Etobicoke Creek Valley by this recommendation. These lands may ultimately be developable in some use compatible with the Plan and by the exclusion of the major portion of them the Province will not be required to make the substantial expenditure necessary for acquisition.

It is to be noted that there are already extensive Public holdings in the area which in our opinion will be adequate to achieve the objective of the Plan with respect to the use and protection of the Etobicoke Creek Valley.

File Number: 300-44

Submission Number: 49

Counsel: R.R. Elliott

K. Fukuda

Owner: Carholme Investments Limited (Property Manager)

Land (brief description): Part Lot 1, Concession 7

Brampton 50 acres ±

Parkway Belt Location: Northern Link, Map 4

(Airport Road at Steeles Avenue)

Summary of Submission:

Two acres of the property at the corner of Airport Road and Steeles Avenue contains a Shell Service Station and a further acre or more will be required for the Hydro right-of-way, leaving the owner about 47 acres in a Complementary Use Area. The Official Plan and zoning is Agricultural although the property is flat and featureless. The owner submits that a low density Industrial Use should be permitted in the Complementary Use Area with high performance standards which would not compromise the Parkway Belt Plan. In the alternative exclude or exempt the property from the Plan.

Exhibits: 135 Aerial Photo of Property and Surrounding Land

515 An Agricultural Analysis

Recommendation:

That the Plan be modified by amending the text to provide a specific policy which would permit on the lands remaining to the owner after the acquisition of linear facilities industrial development having a maximum lot coverage of 25%.

Reasons:

Only a small portion of the owner's lands will be acquired for linear facilities and taking into consideration the above factors we are of

the opinion that there is no justification for restricting the uses on the remnant parcel of Complementary Use lands to those as presently contemplated by the Draft Plan. We are satisfied, on the evidence presented, that the property would not be suitable in this location for agricultural uses.

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result, of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.



3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

File Number: 300-58

Submission Number: 50

Counsel: Morris Prousky, Q.C.

Owners: J. Lewi, S. Ash et al

Land (brief description): Part Lot 14 ( $S\frac{1}{2}$  of  $N\frac{1}{2}$  of  $W\frac{1}{2}$ ), Concession 4

East Dixie Road

Brampton 25.775 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

This is a property from which a portion of land will be taken from the south-easterly corner for the Highway 407 right-of-way.

The owner requests either the expropriation of the whole of the lands or the release of the balance not required for road purposes.

Exhibit: 138 Survey of Property

Recommendation:

That the Plan be accepted for this property.

Reasons:

A portion of this property will be purchased by the Province for future Highway 407. The remainder of the lands lie outside the Design Area of the Plan and application for release from the Regulations covering the Planning Area may presently be made to the Minister.

Elsewhere in this Report under General recommendations we have commented on the Regulations covering lands which may not be included in the Design Area upon the final acceptance of the Plan.

File Number: 300-69

Submission Number: 51

Agent: Peter J. Boyd

Group: Regional Municipality of Peel

Lands (brief description): General (Derry Road)

Parkway Belt Location: Northern Link, Map 4

(Meadowvale)

Summary of Submission:

This concerns the relocation of Derry Road in the area of the historic village of Meadowvale in Mississauga between Mississauga Road on the west and McLaughlin Road on the east. The extensive brief and presentation traces the studies undertaken for the relocation considering the Parkway Belt to the north and Highway 401 to the south.

Representation were made to accept and recommend relocation of Derry Road on a northerly alignment (Plan H2) which just enters the the Parkway Belt Design Area.

Exhibits: 139 Brief

141 Report on Meadowvale Village

History and Inventory (2 Parts)

Recommendation:

None

Reasons:

It would appear that the presentation on behalf of the Regional Municipality of Peel has requested the Hearing Officers to make a provision in the Plan for a future crossing of the Credit River and associated Open Space Area to accomodate a six-lane highway to replace the presently existing Derry Road, while at the same time preserving the historic village of Meadowvale.

It was represented to us that the need exists for this highway now and by the year 1995 the highway will be insufficient for the anticipated traffic volumes. The Parkway Plan includes provision for the future Highway 407 which the submission states will not be constructed before the year 2000.

The route recommended for the relocated Derry Road is approximately 700 feet south of the future alignment of Highway 407. This means that the end result would be two major highways through this scenic Credit River Valley.

Therefore, the Hearing Officers are not convinced that a second major highway crossing of the Credit River Valley is justified.

File Number: 300-73

Submission Number: 52

Agent: Stanley Shaw

Group: Central Ontario Glider Group

Land (brief description): Various

Parkway Belt Location: General

Summary of Submission:

This is a request for an area of land about 1,000 feet X 1,000 feet (about 25 acres) for the use of the group in their radio controlled model glider activities. A reasonably flat site with a minimum of trees and scrub brush in the Woodbridge Sector is desired.

Certainly such a use would be consistent with the Parkway Belt Goals and objectives.

Exhibit: 140 brief

Recommendation:

None

Reasons:

This is a matter to be dealt with at the implementation stage after acceptance of the Plan.

The submission appears to be consistent with uses contemplated but is premature at this time.

File Number: 300-51

Submission Number: 53

Counsel: E.A. Goodman, Q.C.

Owners: Victoria Wood Development Corporation Inc.

Anglo York Industrial Limited

Land (brief description): Part of Lot 1, Concession 6, and

Part of Lot 1, Concession 7 E.H.S.

Mississauga 93.7 acres

Parkway Belt Location: Southern Link, Map 3

(Easterly end)

Summary of Submission:

The subject property is located south-west of the Highway 401/427 Interchange and is severed by the future 100 foot inter-urban transit strip. Some 80.3 acres are shown in the Parkway Belt Plan as Public Open Space and reserved for the transit linkage to Metropolitan Toronto and the spur line to Toronto International Airport. The lands are presently designated by Official Plan and as well are zoned M1 Industrial which has broad permitted uses.

This submission details the alleged disregard of the Parkway Belt Plan for financial priorities in acquiring property and sets forth detailed alternate proposals for the future transit strip if in fact that strip is required at all, which need is seriously questioned. The owner requests exemption in total or in the alternative relocation of the transit corridor to allow development of this very valuable property in one of the configurations presented as alternatives.

Exhibits: 142 Aerial Photo

143 Survey of Lands

144 Aerial Photo of Area

145 Brief RE: Victoria Wood



- 146 Submission Marshall Macklin Monaghan
- 147 Aerial Photo proposed transit
- 148 Government Survey airport travellers
- 149 Aerial Photo Alternative 1
- 150 Aerial Photo Alternative 2
- 151 Aerial Photo Alternative 3
- 152 Mississauga Transportation Study
- 153 Market Value Appraisals
- 154 Special Program Review Report
- 155 Parkway Belt Task Force Report No. 7 (1971)

Recommendation:

That the Plan be modified by deleting this total property from the Design Area.

Reasons:

The uncontradicted evidence of the transportation planner, Metcalfe, supported by Exhibit No. 48 (a government study) has satisfied the Hearing Officers that the inclusion of this land within the Parkway Belt for the reasons stated, i.e. sophisticated inter-urban transit system and Public Open Space, is not justified.

In addition the exclusion of these lands and others in the area from the Plan would represent a saving of many millions of dollars to the public treasury in land costs alone.

The evidence also indicated that acceptable alternatives for transit are available.

File Number: 300-29

Submission Number: 54

Counsel: E.A. Goodman, Q.C.

Owner: 271867 Ontario Limited

Land (brief description): Part of Lot 1, Concession 7 E.H.S.

Mississauga 99.6 acres

Parkway Belt Location: Southern Link, Map 3

(East end)

Summary of Submission:

This property adjoins that of Victoria Wood and is immediately west on the south side of Highway 401. The identical submissions apply to these lands as in Victoria Wood (Submission 53). Some 26 acres are located in the Parkway Belt Plan and shown as Public Open Space with the future transit corridor and Airport linkage severing the property.

The same requests for exemption and alternate proposals for transit reserve are made as in the Victoria Wood submission.

Exhibits: as Submission 53

Recommendation:

That the Plan be modified by deleting this total property from the Design Area.

Reasons:

The uncontradicted evidence of the transportation planner, Metcalfe, supported by Exhibit No. 48 (a government study) has satisfied the Hearing Officers that the inclusion of this land within the Parkway Belt for the reasons stated, i.e. sophisticated inter-urban transit system and Public Open Space, is not justified.

In addition the exclusion of these lands and others in the area from the Plan would represent a saving of many millions of dollars to the

public treasury in land costs alone.

The evidence also indicated that acceptable alternatives for transit are available.

File Number: 300-4

Submission Number 55

Agent: John L. Ladell

Group: Save Our Trees and Streams Society (SOTAS)

Land (brief description): Various

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

This is a well documented brief and submission as to the woodlands lying in the Southern Link of the Parkway Belt in the direct path of Highway 403. The thrust of the brief is the saving of these woodlands and widening of the Southern Link to accomodate the future Highway 403 in alternate locations to preserve the forested areas.

Exhibit: 156 Brief

Recommendation:

None

Reasons:

The aims and objectives of this group are most commendable indeed. We are satisfied on the presentation made by them that the present proposed alignment for the linear facilities will do irreparable damage to a large portion of the woodland through which this will pass.

Though the Hearing Officers are in sympathy with the brief as submitted we have no jurisdiction to alter the route except within the Design Area, and that area is too narrow in this municipality to achieve the desired result. The Hearing Officers have no jurisdiction, (lands outside the Design Area), see Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 300-56

Submission Number: 56

Counsel: Basil Clark, Q.C.

Group: City of Mississauga

Land (brief description): Various

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The submission deals with a number of individual suggestions and requests from the municipality some of which are beyond the powers of the panel to recommend. The following are some of the proposals:

1. More clearly define the Complementary Use permitted uses.
2. Recommend a policy where significant tax losses to the Municipality will be compensated for by the Province.
3. Include part of Credit River Valley in Parkway Belt, i.e. from Northern Link to Lake Ontario.
4. Include Etobicoke Creek Valley in Parkway Belt.
5. Amend boundary between Mississauga and Oakville to conform to the Belt separation.
6. Depress Highway 403 in various locations.
7. Widen the Southern Link.
8. Concern was expressed for preservation of historic Meadowvale Village.

Exhibit: 157 Brief

Recommendation:

None

Reasons:

The submission by the City of Mississauga clearly indicated that the City has carefully reviewed the Draft Plan and documented many important concerns. Almost all aspects of the Plan have been considered. We appreciate the comments made by the City and after lengthy persual have

summed up the positions taken under the eight items recited above in the summary of submission.

We have dealt with these as follows:

1. This has been the subject of numerous submissions to the Hearing. Due to its general nature it will be dealt with under our general recommendations. It should be said further that permitted uses will be considered in greater detail at the time of implementation of the Plan by Official Plan and Zoning By-Law.
2. We do not believe we have jurisdiction to make recommendations on this matter which properly should be considered with respect to Provincial Policy or amendments to the present Legislation.
- 3.4.5. The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.
6. The Provincial Panel has indicated that this matter has been considered and in some instances acted upon. At the final design stage by Ministry of Transportation and Communications, in co-operation with local authorities, it would be expected that further consideration would be given to environmental concerns
7. The Hearing Officers have no jurisdiction, (lands outside the Design Area), see Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.
8. Submission NO. 51 for the Region of Peel dealt most extensively with alternate design material for the preservation of Meadowvale Village. The Hearing Officers have made a recommendation with detailed reasons, and reference should be made to that submission.



File Number: 300-42

Submission Number: 57

Agent: Frank J. McKechnie

Group: Ward 5, Mississauga

Land (brief description): Various

Parkway Belt Location: General

Summary of Submission:

Four specific points are made as follows:

1. Supports in strongest terms the Parkway Belt concept.
2. Do not diminish size of Parkway Belt.
3. Malport should not be allowed in Parkway Belt.
4. Compensation from Public Funds should be paid only where there is an Ontario Municipal Board approved Official Plan designating future development.

Exhibit: 158 Brief

Recommendation:

None

Reasons:

This submission is generally in support of the Parkway Belt Concept. The Malport yards have already been relocated and compensation in a general way is dealt with elsewhere in this Report.

File Number: 300-22

Submission Number: 58

Counsel: M. A. Handler

Owner: N. H. D. Developments Limited

Land (brief description): Part Lot 1, Concession 8

Vaughan, 13 acres.

Parkway Belt Location: Northern Link, Map 4

(South of Claireville Station)

Summary of Submission:

These lands are shown in the Complementary Use Area at the north-east corner of Steeles Avenue and Highway 27. Certain expropriations were completed by Ministry of Transportation and Communications reducing a considerable acreage to the remnant parcel of 13 acres on the corner. Ministry of Government Services had also purchased by negotiation some 2 parcels amounting to close to 70 acres. The owner submits the land should be excluded from the Plan or in the alternative allowed to develop for a Motor Hotel use.

Exhibit: 159 Brief

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

This is an isolated property from which a considerable acreage has been purchased by Government for public purposes, but must be treated by the Hearing Officers as part of a group of properties in this area for which submissions were made.

This is a remnant parcel of some 13 acres and since the Government did not see fit to purchase it, we see no justification for its inclusion in the Complementary Use Area of the Plan.

If the utilities corridor and CNR Toronto By-Pass is not to form the southern hard edge of the Plan in this location (and that has been our recommendation) it is our opinion that the goals and objectives of the Plan will not be compromised by our recommendation herein.

File Number: 300-20

Submission Number: 59

Counsel: Ronald K. Webb, Q.C.

Owners: Oneida Properties (Liam Realities Limited and Queens Square Holdings Limited)

Land (brief description): Part of E½ Lot 14, Concession 3 E.H.S.  
BRAMPTON 49 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

A portion of the subject lands have been shown in the Parkway Belt Design Area for future Highway 407 right-of-way. The owner has an industrial Subdivision Plan 21T75523 before the Minister for approval in accordance with an Official Plan amendment passed by Brampton. The owners request exclusion of lands not required for the Highway but still covered by the Parkway Belt Regulations as being within the Parkway Belt Planning Area.

Exhibits: 160 Brief

161 Official Plan Amendment No. 1, Brampton

161(a) Map to Official Plan Schedule "A"

162 Copy of Draft Subdivision Plan 21T75523

Recommendation:

That the Plan be accepted for this property.

Reasons:

A portion of this property will be purchased by the Province for future Highway 407. The remainder of the lands lie outside the Design Area of the Plan and application for release from the Regulations covering the Planning Area may presently be made to the Minister.

Elsewhere in this Report under General recommendations we have commented on the Regulations covering lands which may not be included in the Design Area upon the final acceptance of the Plan.

File Number: 300-48

Submission Number: 60

Agent: K. S. Gregory, Administrative Assistant to V.P.

Business Affairs, University of Toronto

Owner: University of Toronto, Erindale College

Land (brief description): Erindale College, 36 acres

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The University is concerned that a portion of its campus (some 36 acres) are shown as Public Open Space in the Parkway Belt Plan. The land includes certain valley lands used for nature studies, wooded areas and table lands used for field studies and laboratory work by staff and students.

Surely it is logical to either exclude the lands from the Parkway Belt Plan leaving the whole campus in control of the College or include the College lands in total in the Plan.

Submission requests exclusion from the Plan.

Exhibit: 163 Brief

Recommendation:

That the Plan be modified by deleting the subject property from the Design Area.

Reasons:

The lands included within the Belt are of special value to the College in conjunction with its research and educational program. Erindale College is presently subject to the usual municipal zoning by-laws and itself exercises strict control of its campus for the preservation of the natural topography. It is illogical in the Hearing Officers' opinion to include only a portion of the property in the Design Area, and we see no need for it. If the end result by the Province is to

protect the integrity of the River Valley there is no question in our minds that this objective can be achieved as effectively by the College.



File Number: 300-63

Submission Number: 61

Counsel: Sam Stabile

Owner: Margross Investments Limited

Land (brief description): Part Lot 4, Concession 7

Vaughan 5.77 acres

Parkway Belt Location: Northern Link, Map 5

(Woodbridge)

#### Summary of Submission:

The owner has planned a residential subdivision (some 10 to 15 units) for single family housing and due to the requirements of the Municipality cannot economically proceed unless some 5 to 6 acres shown in the Parkway Belt Plan are excluded and allowed to develop with the owner's remaining lands. Negotiations with the Conservation Authority indicate it has no objections.

It requests exclusion of developable land from the Parkway Belt Plan.

Exhibits: 164 Brief

165 Proposed Plan

#### Recommendation:

That the Plan be accepted for this property.

#### Reasons:

One of the basic stated objectives of the Plan in this Link is the protection of the Humber River Valley and the provision of Public Open Space in the area.

The evidence before us does not convince us that the Plan is not justified in this area. Those lands that are proposed for exclusion about the Metropolitan Toronto and Region Conservation Authority flood line of the Humber River.

General recommendations are made elsewhere in this Report with respect to the staging of acquisitions for public use.

File Number: 300-50

Submission Number: 62

Owner: K. Dalinda

Land (brief description): Churchville Road at Steeles Avenue 7.5 acres

Parkway Belt Location: Northern Link, Map 4

(Credit River, Churchville)

Summary of Submission:

The owner has 7.5 acres of land containing greenhouses now shown by the Parkway Belt Plan as being included in the Complementary Use Area. He is near retirement and can no longer operate the greenhouses to make a living due to his age and increased heating and operating costs. All his savings are invested in these lands and he wishes to sell them for development. They are zoned R4 Residential and so shown in the Official Plan.

He wishes his land to be excluded from the Parkway Belt Plan.

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

For the greater part of the northerly extension of the east limit of the Belt here, the Second Line West is the alleged hard edge. The boundary then is notched towards the west to the CPR right-of-way.

It is the opinion of the Hearing Officers that none of these boundaries form a significant hard edge to the Belt in this location. There therefore appears to be no justification for inclusion of these lands within the Complementary Use designation.

The subject lands afford no protection to the Credit River Valley. Reference should also be made to our General recommendations elsewhere in

this Report where a specific reference is made to this Complementary  
Use Area and also the Reasons as set out in Submission 240.

File Number: 300-52

Submission Number: 63

Counsel: G.F. Leslie

Owner: Imperial Oil Limited

Land (brief description): Part Lot 15, Concession 7 E.H.S.

Brampton

Parkway Belt Location: Northern Link, Map 4

(Steeles Avenue at Airport Road)

#### Summary of Submission:

The company operates a service station pumping considerable gallonage at the south-east corner of Airport Road and Steeles Avenue. Some 85 feet of the south part of the property is proposed to be acquired for the 500kv Hydro corridor and this will remove the building from the service station lands.

The owner submits that the Hydro and future utilities strip should be relocated southerly to avoid closing the station.

Exhibit: 166 Brief

#### Recommendation:

That the Plan be accepted for this property subject to the decision made by the Minister of Energy.

#### Reasons:

The Minister of Energy has already made a decision with respect to the Hydro right-of-way in this area, and that decision will permit this use to continue within this Complementary Use Area of the Plan.

File Number: 300-39

Submission Number: 64

Owner: R. A. Bird

Land (brief description): West End Burnhamthorpe Road at  
Credit River/Mullet Creek

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The owner lives in a private single family dwelling on a property some 500' X 1,000' in size off Burnhamthorpe Road and running down to the Credit River. The lands will be included in the Public Open Space Area in this portion of the Plan. Substantial table land is included in the Parkway Belt Plan at this site.

The owner submits:

1. Acquire the Valley Floor only and leave remainder out of the Plan.
2. If acquisition occurs:
  - (i) Give some timetable for purchase so owner has Security of Tenure
  - (ii) Allow owner Security of Investments as potential resale has been eliminated as a result of Parkway Belt Plan.
  - (iii) Assist owner to acquire comparable land elsewhere by paying adequate compensation for the substantial outlay necessary to get same type of property.

Exhibit: 167 Brief

Recommendation:

That the Plan be modified by designating the whole of this property as Complementary Use.

Reasons:

This owner has demonstrated his desire to have this property maintained and used in a manner compatible with the goals and objectives of the



Plan. To this end he is prepared to negotiate the public purchase of the river valley lands. It is the opinion of the Hearing Officers that the purchase of the valley lands as opposed to the total property is sufficient to satisfy the objectives of the Plan and would give the owner continued quiet enjoyment of his residence and surrounding property.

File Number: 400-92

Submission Number: 65

Owner: A. Benvenuti

Land (brief description): Part of North  $\frac{1}{2}$  of Lot 25, Concession 2  
West Flamborough, now Dundas 75 acres

Parkway Belt Location: Escarpment Link, Map 2  
North of Botanical Gardens

Summary of Submission:

The subject property is zoned Industrial in part and Agricultural and Conservation land in part. The lands are located just south of the Pleasantview subdivision and part of the area surrounding has been developed.

The applicant wished to sell the land for a residential subdivision but was prevented by the Complementary Use designation imposed by the Parkway Belt Plan. He wishes to be excluded from the Plan.

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of the owner's land now designated as Complementary Use.

Reasons:

This is part of the Pleasantview Study Area. As such it would not appear logical to leave these related lands in isolation under a Complementary Use designation. It is our opinion that the Complementary Use designation in this area has not been justified under the Plan as stated in connection with other submissions.

With the Town of Dundas and the Regional Municipality of Hamilton Wentworth in support of this owner's submission for exclusion to provide for some residential development within the structure of the Region, adequate controls will be imposed on any future development of this property.

Although part of the property is designated in the Official Plan for agricultural uses the quality of the land itself and its present fragmented state does not lend itself to this purpose. Reference should also be made to our General recommendations elsewhere in this Report.

File Number: 400-76

Submission Number: 66

Owner: Mrs. A. W. Hering

Land (brief description): Part Lot 8, Concession 2

East Flamborough 1.3 acres

Parkway Belt Location: Escarpment Link, Map 2

N. Grindstone Creek Area

Summary of Submission:

The submission concerns creation of a new lot and severance for purposes of sale so that a new driveway to the existing house can be built and the barn on the property demolished.

This land is shown Complementary Use and Public Use Area in the Plan and an application for severance has been refused.

Exhibits: 178 Brief

179 Survey Plan Showing Alternatives

Recommendation:

That the Plan be accepted for this property.

Reasons:

The Hearing Officers have no jurisdiction to recommend severances within the Design Area of the Plan and a separate lot did not exist at the time of the Plan under Section 5.3.3(a) (v). It is to be noted the property is very close to the escarpment and additional buildings in the Complementary Use Area are discouraged.

A portion of the land would ultimately be acquired for the Public Open Space Area and our recommendation takes into consideration that both the municipality and the Region had previously been opposed to the creation of an additional lot as requested.

It would appear on the evidence that the Plan is not the only difficulty to be overcome by this owner if she is to achieve the result requested.

Notwithstanding the above however, we have made General recommendations elsewhere in this report as to permitted uses in Complementary Use Areas.

File Number: 400-84

Submission Number: 67

Owner: Glen Colbeck

Land (brief description): East  $\frac{1}{2}$  of North  $\frac{1}{2}$  of Lot 8, Concession 3  
Milton 50 acres

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The subject property is designated in the Complementary Use Area in the Plan and is agricultural at present.

Prior to publication of the Plan the lands were offered for sale at \$3,000 per acre. The owner had a right-of-way to Oakville Creek for watering cattle but this has now been fenced off. His main farm is on the west side of Highway 25 in Lot 8 and 100 acres in area. He wants exclusion from the Parkway Belt Plan for creation of a group of residential properties on the Third Line and at present would qualify for the erection of one house only.

Recommendation:

That the Plan be accepted for this property.

Reasons:

The broad band of Complementary Uses in this section of the Belt provides for the maintenance of the agricultural and rural character of the area and the broad separator between Milton East and Milton West Future Urban Areas.

The urbanization of this area is premature in the opinion of the Town of Milton submission and the Hearing Officers agree. The Official Plan and Zoning By-Law show the property as agricultural, and in the opinion of the Hearing Officers the lands are too far removed from the urban area to allow strip development to occur.



File Number: 400-6

Submission Number: 68

Owner: Mrs. M.J. Park

Land (brief description): Part Lots 22 and 23, Concession 2

Dundas 1.2 acres

(North-west corner Valley Road and Patterson Road)

Parkway Belt Location: Escarpment Link, Map 2

(North of Botanical Gardens)

Summary of Submission:

The subject property was part of an 88 acre parcel over 80 acres of which was donated to the Botanical Gardens by the applicant's family. The property is occupied by a single family house but is in the Public Use or Open Space Area in the Plan.

The concern is the uncertainty created by possible acquisition in the future. She wishes to be taken out of the Plan or designated Complementary Use so that she can remain on the property and continue to maintain it as a residential use.

Exhibit: 180 Brief

Recommendation:

That the Plan be modified by designating this property Complementary Use.

Reasons:

There is an existing single family residence on this land and the Public Open Space designation leaves the owner with a feeling of anxiety and uncertainty since such designation indicates a possible future acquisition of the lands by the Province. The Plan is unclear and vague as to when such acquisition if any, might occur. This owner wishes to continue to maintain the residential use and we are of the opinion that

such uses in this area are complementary to the Plan and do not offend its goals and objectives.

File Number: 400-7

Submission Number: 69

Counsel: Thomas M. Holden, Q.C.

Owners: Joseph and John Willmott as Mortgagees

Land (brief description): Part Lots 9 and 10, Concession 2 N.D.S.

MILTON 200 acres

(west of Highway 25)

Parkway Belt Location: Burlington Oakville Mini-belt, Map 6

#### Summary of Submission:

The applicants are a farming family (father and son) who sold the lands at Milton taking back a substantial mortgage the son continuing to farm in Saskatchewan. The purchaser as a result of the lands being partially designated Complementary Use in the Plan has failed to pay the mortgage payments pending the final disposition of the Plan and an action for foreclosure is now before the courts.

The Willmotts wish the lands to be excluded from the Plan and interim Provincial Assistance to avoid what appears to be imminent bankruptcy.

Exhibit: 181 Brief

#### Recommendation:

That the Plan be modified by changing the designation of the Public Open Space for these lands to Complementary Use.

#### Reasons:

The submission herein was from the former owner who is presently the mortgagee of the property. Ordinarily no recommendation would be made other than through the owner but in this case owing to our specific recommendations elsewhere in this Report the Public Open Space designation has been recommended to be changed to Complementary Use. As far as this submission is concerned a portion of the lands are outside the

Design Area and in addition we are of the opinion we have no jurisdiction to make interim recommendations as to provincial financial assistance for those owners suffering financial hardship alleged to be as a result of the imposition of the Plan. (See also Submissions 105, 129, 132, and 229).

File Number: 400-85

Submission Number: 70

Agent: Robert Zsadanyi

Group: Town of Milton

Land (brief description): General Milton Area

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

This is a general submission relating to the concepts of the Parkway Belt Plan as they relate to the Milton district. The brief is specific in its recommendations for alternatives to the Plan with respect to certain hardship cases (Molle and Willmott) and general as to the concepts of urban envelopes and the development of a new Milton East Urban Area and redesignation of certain Industrial development and preservation of agricultural lands.

Exhibit: 182 Brief

Recommendation:

None

Reasons:

The Hearing Officers have made recommendations and given detailed reasons therefor in connection with specific submissions relating to the area referred to by the Town of Milton. Reference should be made elsewhere in this Report to those recommendations and reasons as set out in Submission No's 85, 112, 133, 140, 227, 69, 105, 128.

In addition the Hearing Officers have considered the preservation of agricultural areas and have made recommendations on specific submissions in that regard. We have also recognized Government Policy as enunciated in the Toronto-Centred Region Report and subsequent documentation regarding the separation of urban municipalities.

File Number: 400-21

Submission Number: 71

Owners: D. Radjenovich & Peter Oklobdzija

Land (brief description): 2500 Lakeshore Blvd. W., Lot 95 ½ acre

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The owners operate a B.P. Service Station and garage and this is now located within the Parkway Belt Plan and shown as Public Open Space.

They wish to have the land exempted from the Plan or purchased by the Province, owing to the uncertainty of future private sale or use.

Recommendation:

That the Plan be accepted for this property.

Reasons:

This is a part of the Public Use table land area of the Bronte Creek. The Mini-belt in this location extends from Lake Ontario northerly and the operation of the owner's business will not be affected by his inclusion in the Public Use designation at this time and the lands may be ultimately acquired.

Elsewhere in this Report the Hearing Officers have made General recommendations as to the staging of acquisition of Public Use lands.



File Number: 400-9

Submission Number: 72

Counsel: B. S. Onyschuk

Owner: Wimpey Homes Limited

Land (brief description): Part of Lots 2 and 3, Concession 3, S.D.S.  
Oakville 120.8 acres

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

The submission involves a block of land of the owner developer which has been designated almost in whole within the Complementary Use area with the Joshua Creek portion Public Open Space.

A proposed Hydro right-of-way crosses the property diagonally though Hydro, in fact, purchased from Wimpey a right-of-way running northerly on the east limit of the land as recently as 1970 as part of a right-of-way extending northerly to beyond the Queen Elizabeth Way.

The submission requests exclusion of the lands from the Parkway Belt Complementary Use designation allowing development for residential uses as planned and considering dedication of lands for the protection of the Joshua Creek Valley and relocation of Hydro's right-of-way as set out in alternative four in the brief.

Exhibits: 183 Extracts Oakville Zoning By-Law

184 Brief

185 Appraisal Memorandum

186 (a & b) Base Map Development and Overlay

187 (a & b) Parkway Belt Mini-belt Overlay

188 Parkway Belt Task Force Report, January 27, 1972

Recommendation:

That the Plan be modified by deleting the whole of this property from the Design Area.

Reasons:

The actual Joshua Creek valley through this area is already zoned Open Space and will be acquired by the Municipality during the subdivision process. Evidence before us shows that Ontario Hydro has already purchased a right-of-way extending from the east portion of these lands northerly to the southern link at a cost in excess of \$1,000,000 (see exhibit # 184 A)

There appears to be no reason why this already acquired right-of-way through this property cannot be used if indeed such use is ever required. Although this land has been designated Complementary Use in the Draft Plan a development agreement presently exists between the owner and the municipality and the appraisal filed (exhibit # 188) values the acreage in 1973 at over 4.8 million dollars, and as of June 1976 at over 9 million dollars.

Both the official plan designation and the by-law showed the land as residential excepting the O4 Conservation designation on the Joshua Creek Valley.

In the opinion of the Hearing Officers there is no justification for inclusion of these lands to meet the goal of community identification by separating Mississauga and Oakville.

Elsewhere in our report the section of the belt lying south of Royal Windsor Drive is dealt with separately.

File Number: 400-8

Submission Number: 73

Agent: E.L. Dryden

Group: Forestvale Residents

Land (brief description): Part Lots 4 and 12, Concession 2

Formerly Lot 24 Brant's Block

Burlington 82.5 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

This submission from members of the Forestvale Residents ratepayers group requests the inclusion in the Parkway Belt of lands immediately west of the Forestvale subdivision the subject property being excluded from the Plan's Design Area as proposed, and owned by National Sewer Pipe Limited.

Exhibits: 189 Burlington Map Subject Lands in Green

190 Aerial Photo

191 Letter from Escarpment Commission, January 1975

Recommendation:

None

Reasons:

We have no jurisdiction as this property is outside the Design Area.

See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 400-12

Submission Number: 74

Counsel: Brian W. Morison, Q.C.

Owners: N. Pollard & Son Limited

Quinn Maintenance Limited

Macking Limited

Lobud Investments Limited

Canadian Performance Distributors

C. Riewald

Land (brief description): Industrial Property, Burlington

East Side of King Road, North of CNR

South of Highway 403 21 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The various owners request exclusion from the Parkway Belt Plan in order to expand and develop without the restrictions imposed by the Complementary Use designation. They suggest that such exclusion would not jeopardize the objectives of the Plan and the alternate future transit locations could remain and Highway 403 form the south limit of the Belt in this area.

Exhibits: 192 Brief of Brian W. Morison, Q.C.

193 Aerial Photo of Subject Lands (1974)

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

The lands are being used industrially, and were so designated and zoned prior to the date of the Regulations of the Province. Under the Burlington By-Law No. 4000-3 a 50% land coverage is permitted, the

height is controlled, and both the City and Region support the exclusion of the property from the Plan.

In our opinion the principal justification made for these lands remaining in the Complementary Use Area would be the transit options and they will not be eliminated by this recommendation as alternative options are available by skirting the subject lands to the north through the Burlington Transformer Station, or in some other location if such should be necessary.

File Number: 400-100

Submission Number: 75

Agent: M. Wasserman

Owner: Rose Greenberg

Land (brief description): Part Lot 1 EF

Immediately North of CNR

Fronting and East of King Road

Burlington 8.5 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The lands will be partially acquired for the alternate future transit option and the submission requests exclusion from the Plan and re-location of the transit option in this location. The owner wishes to develop the lands in furniture warehousing uses with access by way of a railway spur.

Exhibits: 194 Extracts from Zoning By-Law, Burlington

195 Resolution Burlington Council, June 11, 1976

196 Letter Ministry of Housing, May 1975

197 Letter Ministry of Housing, July 5, 1976

198 Map, Ministry of Housing

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

This property is immediately south of those lands referred to in Submission No. 74 and has the same Official Plan designation and zoning. The City of Burlington supports exclusion. The principal justification sought to be achieved here is the transit option and as stated in Submission No. 74 that can be achieved by locating the transit option on an alternate route to the north.



Counsel: R. Noel Bates

Owner: Lido Golf Centre

Land (brief description) Part Lots 29 & 30, Concession 2, S.D.S.  
Oakville 96.5 acres

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6  
(south of Q.E.W. east of Highway 25)

Summary of Submission:

Based on the future industrial development proposed on lands immediately to the east and with the recommendation of the Town of Oakville the submission is for exclusion from the Parkway Belt Plan. The submission traces the history of the lands and the uneconomic temporary nature of the Golf Centre operation.

Exhibits: 199 Minister's Response to Region on Interim Draft Plan  
200 Treasurer's Reply to Oakville

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

The present golf centre uses are by agreement with the Town of Oakville of a temporary nature pending a proposal for future development to be approved by the municipality.

The municipality supports the exclusion of these lands from the Belt despite the findings of the COLUC report. Property immediately to the east is presently being serviced and developed in industrial uses. In our opinion there is no justification for inclusion of this Private Open Space considering the uneconomic use of the property at present and its location south of the Queen Elizabeth Highway and the South Service Road.

We are in agreement with the evidence that the Plan's goals and objectives would not be jeopardized by our recommendation herein.

File Number: None

Submission Number: 77

Counsel: R. Noel Bates

Owner: Cord Contracting Limited

Land (brief description): 535 Winston Churchill Boulevard

Mississauga 3.9 acres

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

(south end, north of Hydro site)

Summary of Submission:

The submission requests that the subject lands and some 30 to 35 additional acres owned by Hydro be excluded from the Parkway Belt Plan as being surplus to the Hydro site and not required in the Complementary Use Area. In the alternative let Hydro or the Province buy the property as it is otherwise isolated and surrounded by Hydro lands.

Exhibit: 202 Report # 4 Task Force and Amendments

Recommendation:

That the Plan be modified by deleting these lands from the Design Area.

Reasons:

There is no definite indication that these lands are required for the Ontario Hydro future generating site on the Lakeshore. The lands were purchased on the clear understanding of their future use as designated in the Official Plan of the municipality as Industrial.

We see no justification for the lands being designated Complementary Use thereby seriously restricting their development, considering the recommendation of the Municipal Advisory Committee (Exhibit 8) and it appears that there is little chance that the property will be acquired by the Province.

File Number: 400-18

Submission Number: 78

Counsel: G. D. Scroggie, Q.C.

Owner: B.P. Oil Ltd.

Land (brief description): Lots 31 & 32, Concession 3, S.D.S.

Oakville, 400 acres

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The submission concerns the designation of Public Open Space of a 25-foot strip of table land along Bronte Creek for Public Uses.

Evidence adduced showed that the Company requires such property for further expansion of its tankage, staff house and training centre.

The submission requests exclusion of these table lands from the Plan so they may continue in the control of the Company for its use and as a safety precaution for the refinery and public. It is to be noted that B. P. has developed and controlled the Creek Valley very well through the years.

Exhibits: 203 Brief

204 Map of Refinery Lands

205 Letter Ministry of Natural Resources, June 8, 1976

Recommendation:

That the Plan be modified by deleting from the Design Area all of the lands of B. P. Oil Limited to the west of the high water mark of Bronte Creek.

Reasons:

The major part of this land is already occupied by a very large producing oil refinery. A large part of the lands sought to be included in the Plan is already utilized by the refinery operation and the balance of the land proposed to be included is required for a major future expansion of the refinery and to serve as a buffering area. The company is very

conscious of the need to protect the public from its operation in the manufacture and handling of highly flammable materials.

In this area the Bronte Creek between its own banks already provides a major visual separating function and this combined with certain open space reservations along the east bank will permit the objectives of the Plan to be accomplished in this area. To assist in this objective the oil company has leased for a nominal fee some 10 acres on the east side of the Creek to the local Optimist Club for parks purposes.

This company bears a major responsibility to the public in the provision of energy while at the same time freely accepting its corporate responsibility as a public minded citizen.

File Number: 400-52

Submission Number: 79

Agent: I.C. Reid

Group: Bruce Trail Association

Land (brief description): Niagara Escarpment Area General

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The Association is concerned with the trails systems throughout the Parkway Belt Plan and in particular the Escarpment Link. They point out certain encroachments by buildings in this Link. Also they suggest separation of hiking and cross country skiing trails from those areas to be used by mechanized vehicles.

Exhibit: 206 Brief

Recommendation:

None.

Reasons:

This Association is generally in support of the Parkway Belt goals and objectives. They point out certain deficiencies in existing trail systems where buildings encroach on these trails in the Escarpment Link.

In the opinion of the Hearing Officers their requests have been adequately satisfied by the specific provisions of the Plan, and in fact throughout the Parkway Belt many additional trails and systems are proposed.

File Number: 400-10

Submission Number: 80

Agent: M. Finer

Owners: M. Barkin and A.E. Resnick, Trustees

B. Kassirer and S. Esbin, Trustees

Land (brief description): East  $\frac{1}{2}$  Lot 7, Concession 1 N.D.S.

Burlington 100 acres

Lot 9, Concession 1 N.D.S.

Burlington 200 acres

Parkway Belt Location: Escarpment Link, Map 2

(South of proposed Highway 403)

Summary of Submission:

The subject properties are both partially in the Complementary Use Area and partially out of the Parkway Belt Design Area being severed by the proposed Highway 403 right-of-way and 100 foot future utilities strip. Some 13 acres will be taken from Lot 7 and 25 acres from Lot 9 for these uses. The submission requests that the Parkway Belt be narrowed substantially and the property fronting on No. 1 Sideroad be allowed to develop in residential uses, such housing being already scattered there at present due to severances granted in the past. Any land required for public use should be purchased immediately as owners should not be required to hold it and pay costs pending ultimate acquisition.

Exhibit: 207 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

At the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban Service Area has its northern boundary at proposed Highway 403.



Although there was an indication given that long range planning would provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

File Number: 400-24

Submission Number: 81

Agent: R.H. Ramm

Owners: Kalma Varga and Julia Varga

Land (brief description): 270 and 288 Sumach Drive  
Burlington 3.79 acres

Parkway Belt Location: Escarpment Link, Map 2  
(North of Hidden Valley Park)

Summary of Submission:

The owners have a sale of the lands conditional on development for either residential or light industrial use. The Parkway Belt Plan designates the property in the Complementary Use Area and there is an existing dwelling on the smaller parcel, the larger parcel being vacant. The request is for either exclusion from the Parkway Belt Plan or for the Province to purchase the land as the property surrounding is in a variety of uses and the lands are bordered by the ravine of Hidden Valley Park. If neither alternative is acceptable, the owners request development in a light industrial use.

Exhibits: 208 Brief

209 Photo of Property and Buildings

210 Illustrations of two parcels

211 Blow-up of Parkway Belt Area showing Subject Land

212 Photo of Housing on Nearby Lots

213 Photo of Cold Storage Plant nearby

214 Photos of Highway 403

215 Photos of Brick Manufacturing Yard nearby

Recommendation:

That the Plan be modified by deleting that portion of the property presently designated Complementary Use from the Design Area.

Reasons:

This property was zoned for single family residential use, but at present is unserviced. Adjoining lands are developed in residential uses and other nearby uses appear to be of a stable industrial nature. A portion of these lands will be acquired by the Province. With respect to the area designated Complementary Use we are of the opinion that the municipality will adequately control any development of the lands and accordingly this land should be deleted from the Plan to develop on an infilling basis if practicable.

File Number: 400-13

Submission Number: 82

Counsel: Brian W. Morison, Q.C.

Owners: Aldercrest Developments Limited

Frank Butty Limited

Land (brief description): Aldercrest: Lot 23, Concession 1 and  
Part Lots 23 and 24, Concession 2  
formerly West Flamborough 52 acres  
Butty: Part Lots 22 and 23, Concession 2  
formerly West Flamborough 42 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owners are in the land development business and the subject lands are located north and south of York Road bordering the conservation area and Government property and shown as Complementary Use. The Aldercrest lands had been designated Industrial by the Town of Dundas and the Butty land Agricultural. The request is for exclusion from the Parkway Belt Plan or the right to develop both parcels in a residential subdivision use, otherwise let the Province acquire the properties. The suggestion in the brief is that residential uses would not affect the integrity of the Plan or the goals therein.

Exhibit: 216 Brief

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

This is part of the Pleasantview Study Area. As such it would not appear logical to leave these related lands in isolation under a Complementary Use designation. It is our opinion that the Complementary Use designation in this area has not been justified under the Plan as

stated in connection with other submissions.

With the Town of Dundas and the Regional Municipality of Hamilton Wentworth in support of this owner's submission for exclusion to provide for some residential development within the structure of the Region, adequate controls will be imposed on any future development of this property.

Although part of the property is designated in the Official Plan for agricultural uses the quality of the land itself and its present fragmented state does not lend itself to this purpose. Reference should also be made to our General recommendations elsewhere in this Report.

File Number: 400-15

Submission Number: 83

Counsel: S.D. Paton

Owner: Bayshire Investments Limited

Land (brief description): Lot 7 and East  $\frac{1}{2}$  of Lot 8, Concession 1 S.D.S.

Oakville 277.5 acres

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

(South of Highway 5 and North Upper Middle Road)

Summary of Submission:

This is a submission to exclude lands of the owner lying west of Joshua Creek allowing the watercourse to form the west boundary of the Parkway Belt in this location and designating the land to the east of the Creek as Public Open Space. The property is not heavily wooded over 80% of the area but is covered by hawthorne trees or shrubs and unsuited for the uses proposed in the Plan. The submission is that the major portion of the land be developed in Residential housing as originally envisioned and planned by the owner and the Town of Oakville.

Exhibits: 217 Brief

218 Plan Iroquois Ridge Community

219 Subdivision Plan M155

220 Subdivision Plan M156

221 Letter Halton Region June 22, 1976

222 Letter Carma Developers June 23, 1976

222(a) and (b) Copies of Deeds to Carma

223 Sketch of Existing Tree Stands on Land

224 Report of Sellers (Cedarvale Tree Services)

225 Aerial Photo

226 Submission or Brief

227 Aerial Photo and Overlay

228 Extracts (2) from Official Plan, Oakville



Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

In order to consider proper recommendations for Submissions 83, 96, 130, 136 and 138, it is necessary to examine the whole concept of that part of the Joshua Creek Valley Public Open Space Area lying to the north of the Queen Elizabeth Way.

We have been told that the determination of the Design Area in the Plan was the consensus of the Parkway Belt Task Force as set out in the various reports of their meetings, in this case Report No. 4 (as amended) filed as Exhibit 202. This Report shows the primary function of the Oakville-Mississauga Mini-belt as an urban separator and a corridor for highways and hydro lines, with Joshua Creek Valley Public Open Space Area shown as a possible extension of the Mini-belt, (in the words of the Report "an opportunity to add 700 acres to the Mini-belt and create a large park"), although the original objective was for Public Open Space at the Lake Ontario Shoreline. As presented to the hearing by Mr. Pogue, the Plan stresses the need for Highway links and Hydro rights-of-way, and also includes the Joshua Creek Valley Public Open Space Area.

It is the opinion of the Hearing Officers that the planning for this part of the Mini-belt is inadequate. Joshua Creek is not of sufficient significance to warrant a major public expenditure (according to evidence, many millions of dollars) as proposed by the Plan. Addition-

ally, it has been shown that the woodlots in the area contain major growths of hawthorne trees which are totally useless in Public Open Space, and would require major expenditures to render the area fit for public use. Also, this area is approximately five miles from the very large Bronte Creek Public Open Space Area, now under development. The creation of additional large-scale parks so close to such a major area as the Bronte Creek Park and Ontario Sports Complex should be a local responsibility.

The subject land is adjacent to a built-up urban area and some of the land has been the subject of certain agreements with the municipality for the provision of an expensive water supply system. The lands enjoyed developable zoning classifications and were purchased for development as part of the Iroquois Ridge Community, a long-range plan of the Town of Oakville.

The exclusion of these lands from the Plan would in no way offend it as regards the provision of Highway links and Hydro rights-of-way. The Highway links and Hydro lines, together with the indicated Complementary Use Areas, will still provide an adequate separator from the Queen Elizabeth Way to the Southern Link.

File Number: 400-97

Submission Number: 84

Agent: Miss R. Chappell

Owner: Lemonville Estates Incorporated

Land (brief description): Part Lots 9 and 10, Concession 1 E.F.

S.W. Corner Lemonville Road and Highway 403

25 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owner company had a proposed sale by Offer to Purchase conditional on permission to build a one family dwelling on the land such condition to be met within 90 days. Though application for such use was made to the Minister of Housing the 90 day period expired before the use was ultimately granted. They want exclusion from the Parkway Belt Plan or in the alternative the Province to buy the property.

Exhibit: 229 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

It has been stated before that this Link contains many unique features not found elsewhere in the Plan. The Complementary Use Area of the Escarpment Link east of Highway 6 to the King Road area is large and fragmented into many separate ownerships and uses and divided here by linear facilities which criss-cross the district, e.g. transmission lines, the future utility corridor, Highway 403, C.P.R., and Grindstone Creek.

Permitted uses allow all those found in Section 5.3.3 (a)(i) to (vi) along with new residential housing to a density of one dwelling on 25 acres and an area north of Highway 403 for low density Industrial

Development at 5% coverage. We recognize the merits of preserving a more open space type of use here to protect the natural features and the scenic view of the Escarpment slopes and face. Also consideration must be given to the objective of retaining agricultural uses no matter how few such uses there are in this Link.

Evidence heard would indicate that any type of reasonably intensive development may be many years in the future due to lack of services and the present designations of the Official Plan previously applicable to the area. In this case the Complementary Use designation does in fact contribute to achievement of the goals and objectives of the Plan though not in the same degree to all of them.

Protection of the Escarpment itself and the Grindstone Creek Valley has been achieved by designating those areas as Public Open Space. The Complementary Use designation on the remainder of the lands (other than the parts to be acquired for the utilities strip and other linear corridors) is in this instance in our opinion truly complementary to the overall objectives of this Link. Controls will continue to be exercised through the amendment of the Burlington Official Plan and Zoning By-Laws in conformity with the Plan in the future. We also point out that a review will be necessary under Section 14(1) of the Ontario Planning and Development Act within five years from the date of acceptance of the Plan, and should changes occur in the future potential of these lands for more intensive uses at that time representations may be made to the Minister in that connection.

We recognize the differences in the nature of this area and the Pleasantview Study Area to the west which was excluded and have accepted the Draft Plan here in recognition of those differences.

File Number: 400-80

Submission Number: 85

Counsel: Ralph B. Newell

Owner: Lee Wilkinson

Land (brief description): Westerly Part Lot 13, Concession 4

Milton 93.4 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The owner wishes exemption in order to develop the land in a residential or industrial use as a natural expansion of the built up area at Milton. The land was originally zoned M3 Industrial in Oakville and is still the same by Official Plan and Zoning in Milton.

Exhibit: 230 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

The Hearing Officers have found it necessary to deal with this submission in connection with a group of submissions, five in all, which represent a combined large area of Complementary Use lands immediately east of the built up area at Milton. The whole of this area is bordered on the south by Derry Road, on the north by Highway 401, on the east by Milton Station and the Fourth Line, and on the west by the Third Line, sometimes known as Thompson Road. It is to be noted that Map 6 within the Draft Plan is considerably outdated in its illustration of the built up area at Milton and that the aerial photographs (Exhibits 325 and 326) show in more detail that Milton built up area which presently exists to the Third Line.

Representations made to us were similar in nature by all those owners in this area, and are set out in detail in the summary of submission



above. In most cases we were advised of the development potential and in some cases the monies already expended towards that possibility. We are fully aware of government policy as enunciated by the Toronto-Centred Region Study, and note the particular statement of March 1976 (Toronto-Centred Region Program Statement) in which the Government reaffirms that concept as follows:

"In considering these events of the past five years, the Government has concluded that the basic TCR policy continues to be sound and workable, but that it should be adjusted to reflect the conditions of 1976. At this stage, the Government reaffirms its commitment to the Toronto-Centred Region concept as the basis of its policy for managing growth and development in this region, and will continue to move vigorously in putting the policy into effect."

Considering the above statement and paying particular attention to the strong representations by the owners in this area, along with the Town of Milton itself, and noting as well the urbanization presently existing west of the Third Line, together with the municipal ownership east of that road, we are of the opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

The properties if developed at all will do so under the control of the municipality, the Region, and as is always the case to some extent, the Province.

The changing conditions in this area and the maintenance of the integrity of the Parkway Belt Plan as part of the Toronto-Centred Region concept have resulted in our recommendation.

File Number: 400-81

Submission Number: 86

Agent: L. Gula

Owner: Lawrence Farms

Land (brief description): Lot 1, Concession 3

Milton 192.5 acres

Parkway Belt Sector: Burlington Oakville Mini-belt, Map 6

Summary of Submission:

Lawrence Farms is a combination of some six owners who wish ultimately to develop the land. The submission is for exemption from the Parkway Belt Plan or for the Government to purchase the whole of the acreage rather than merely the Public Open Space required at Henderson Park on Oakville Creek.

Exhibit: Nil

**Recommendation:**

**That the Plan be accepted for this property.**

**Reasons:**

A considerable portion of this farm will be purchased for Public Open Space along the Oakville Creek and is a logical expansion of publicly owned parklands in the area.

It is the opinion of the Hearing Officers that the acceptance of the Plan here is a proper recommendation to maintain the generally rural and agricultural character of the district. It also provides the urban separator function as enunciated in the Toronto-Centred Region Plan between the Milton East and Milton West future urban areas.

No development in this area or provision of services is contemplated for a considerable period of time by anyone who gave evidence before us. We point out that Section 14(1) of the Ontario Planning and Development Act requires a review of the Plan within five years from its acceptance.

File Number: 400-14

Submission Number: 87

Counsel: J.B. Conlin, Q.C.

Owner: National Sewer Pipe Ltd.

Land (brief description): Parcel 1: Part of Lots 4 and 12

Registered Plan No. 99

East of H.E.P.C. Right-of-Way

Burlington 82.033 acres

Parcel 2: Part of Lots 2 and 3

Concession 1 South of Highway 403

North of CNR and West of King Road

75 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

Parcel 1:

Applicant requests that lands be left out of the Design Area and relieved of the Regulations applying in the Planning Area. The latter question would be resolved in any event on the eventual release after the Plan is approved in final form. This submission was made prior to the Decision of the Divisional Court in the Chadwill Coal action and now it would not be necessary to hear representations.

Parcel 2:

Applicant requests that the Parkway Belt West Plan be amended by deleting the Complementary Use Area from the Plan south of Highway 403 and 100 foot transit corridor allowing this boundary to form the south limit of the Plan in place of the CNR right-of-way. Allow this triangular area of land to develop in accordance with the present Official Plan designation, as industry in the Complementary Use Area would be allowed at only 5% coverage. Burlington supports the exclusion or

deletion of this area as did the recommendation of the Interested Groups and Residents Advisory Committee in stating that the Plan not inhibit development of important non-residential assessment property.

Exhibits: 231 Brief

232 Aerial Photo before Forestvale

232(a) Aerial Photo after Forestvale

Recommendation:

Parcel 1:

None

Parcel 2:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

Parcel 1:

We have no jurisdiction as this property is outside the Design Area. See Divisional Court Decision on Chadwill Coal Company Limited et al and McCrae et al.

Parcel 2:

In our opinion the principal justification for inclusion of these lands in the Complementary Use Area would be in relation to the future transit option located on the north limit of the CNR property south of these lands. Since that option can be satisfied by location of future transit to the south of Highway 403 as suggested in Submission 74 and 75 the Plan will not be jeopardized by the recommendation above. It might also be pointed out that the land, although lying idle, enjoys an industrial designation and zoning comparable to the land immediately to the east of King Road. (See also Recommendation RE: Submission 92, City of Burlington.)

File Number: 400-82

Submission Number: 88

Counsel: A.S. Blott

Owner: Franconia Land Developments Corporation Limited

Land (brief description): Pleasantview Survey West of Old Guelph Road

North of York Road

102 acres ± and Ravine property

Parkway Belt Sector: Escarpment Link, Map 2

Summary of Submission:

The applicant requests that the subject lands be exempted from the Parkway Belt Plan to permit the development and infilling of 60/70 single family residential homes on lots of 20,000 square feet or more. This is said to complement the existing development in the survey of some 150 homes to the west, north, and east of the site. A feasibility plan is included in the submission.

Exhibits: 233 Brief

234 Illustration Pleasantview Lands

235 Map of Parkway Belt and Subject Lands

236 Detailed Feasibility Plan

237 Excerpts from Staff Report (Region)

238 Planning and Engineering Report (Dundas)

239 Minister's Response (White), 23rd September, 1974

240 Letter, McKeough to Planistics Group

241 Plan showing 21 available lots, Ministry of Housing

Recommendation:

That the Plan be modified by deleting this property from the Design Area.



Reasons:

This submission was considered as one element of the very large Pleasant-view Study Area presently designated in the Draft Plan as Complementary Use and future utilities.

The area referred to above encompasses much more land than that involved in this submission alone, but many of the problems of other owners within this area have something in common with it and these will be dealt with on an individual basis. Reference should also be made to our General recommendations elsewhere in this Report. Lots in this area have been developed on a random basis resulting in pockets of residential development. Roads have been extended on a piecemeal basis with many dead ends and some areas are connected by regional roads only. There are no retail-commercial facilities within the study area and some of the vacant lands are presently being farmed mainly for field crops.

There are no sanitary sewers or municipal water serving this district and some houses have experienced ground water pollution owing to septic tank uses. Considering the cost of providing municipal services, including pumping stations, sanitary sewers, and trunks, additional development in the area must be allowed if the above services are to be installed and the very real problems in this area resolved. In addition will be the cost of upgrading roads to an acceptable municipal standard.

We are of the opinion that except for the provision of the 100 foot future utility strip (and our recommendation does nothing to interfere with this) a Complementary Use designation does nothing in this area to further the goals and objectives of the Plan, and in fact is un-



justified. In fact if this land should be left in Complementary Use the very real needs of the people presently in the area may never be met. Although there were differing views on the density of development to be allowed here there was unanimity as between the Town of Dundas, the Region of Hamilton Wentworth, and the owners from whom submissions were heard that some development should take place to meet the problem.

File Number: 400-16

Submission Number: 89

Owner: Mrs. Betty C. Park

Land (brief description): 101 Valley Road, Dundas 2.5 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The applicant owns this single family residential property which was originally part of a large acreage owned by her family over 80 acres of which were donated for use as part of the Botanical Gardens development. She requests that this property be exempted from the Parkway Belt as a Public Open Space area with possible future acquisition as there is ample parkland in the area and her lands are accordingly not essential to the goals and objectives of the Plan.

Exhibit: 242 Brief

Recommendation:

That the Plan be modified by designating this property Complementary Use.

Reasons:

There is an existing single family residence on this land and the Public Open Space designation leaves the owner with a feeling of anxiety and uncertainty since such designation indicates a possible future acquisition of the lands by the Province. The Plan is unclear and vague as to when such acquisition if any, might occur. This owner wishes to continue to maintain the residential use and we are of the opinion that such uses in this area are complementary to the Plan and do not offend its goals and objectives.

It is to be pointed out that the Hearing Officers have no jurisdiction to recommend severances within the Design Area.

File Number: 400-102

Submission Number: 90

Agent: Monica Abele

Owners: Abele, Klein, Fisher et al

Land (brief description): Part Lot 10, Concession 4

Milton 49 acres

(South-east corner Derry Road and Third Line)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The subject property was purchased by a group of individuals as an investment property hoping the same would ultimately be annexed to the Milton Urban Area. The land is designated in the Parkway Belt Plan as Complementary Use and the applicant asks for exemption of the lands from the Plan or failing that let the Province purchase the same. A prior purchaser who offered \$290,000 was unwilling to fulfil his agreement due to Parkway Belt designation.

Exhibits: 243 Brief

244 Survey

245 Agreement of Purchase and Sale

Recommendation:

That the Plan be accepted for this property.

Reasons:

The broad band of Complementary Uses in this section of the Belt provides for the maintenance of the agricultural and rural character of the area and the broad separator between Milton East and Milton West Future Urban Areas.

The urbanization of this area is premature in the opinion of the Town of Milton submission and the Hearing Officers agree. The Official Plan and Zoning By-Law show the property as agricultural.

It is to be noted that Section 14(1) of the Ontario Planning and Development Act provides for a five year review of the Plan.

File Number: 400-4

Submission Number: 91

Counsel: T.M. Holden, Q.C.

Owners: William Stevenson et al

Land (brief description): Part Lot 2, Concession 1 N.D.S.

Burlington 256 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The applicant's concern is with respect to a small triangular portion of land in the north-west corner of the property cut off by the CNR right-of-way and composed of some 4.8 acres. The balance of the lands are presently farmed, and designated, and zoned for Agricultural use. No severance would be required for the sale of the 4.8 acres as it is separated by the CNR and cannot be practically farmed.

The owners request exclusion from the Parkway Belt Plan or amendment to the Regulations to permit the construction of one single family dwelling on this remnant parcel.

Exhibit: 246 Survey

Recommendation:

None.

Reasons:

It is unnecessary to recommend here since under Section 5.3.3 (a) (v) of the Plan it would appear that this parcel (4.8 acres) as severed by the CNR could be used for the erection of one residence providing all municipal and provincial regulations are complied with.

File Number: 400-25

Submission Number: 92

Agent: Paul Smithson

Group: City of Burlington

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

1. The City is concerned about the Industrial designation placed on lands fronting the North Service Road between the Mount Hope and Burlington Guelph transmission lines as the area is designated for development. A recommendation for Industrial Uses here will be requested in the near future by Official Plan amendment.
2. The City requests that the area (triangular) south of Highway 403, north of the CNR, west of the Burlington Transformer Station through to Waterdown Road be deleted from the Plan. (see National Sewer and Pollard et al submissions).
3. Concern is expressed regarding the National Sewer Pipe lands west of Kerns Road but no recommendation is made (Forestvale).
4. It requests extension of the Parkway Belt Plan east of Kerns Road at Highway 5 .
5. The City is concerned for the loss of Agricultural lands in the Milton West Future Urban Area.
6. It requests expansion of the Public Use Area around Grindstone Creek.

Exhibit: 247 Brief

Recommendation:

(These six matters have been dealt with in the order in which they have been submitted above.)

- (1) That the Plan be modified by amending Section 6.1.3(i) of the text to provide for a maximum lot coverage of 25%.



(2) That the Plan be modified by deleting the whole of the lands from the Design Area.

(3) None

(4) None

(5) None

(6) None

Reasons:

- (1) We are satisfied that Low Density Complementary Industrial Development is a proper use within this area of the Plan. This however is the only area now remaining within the Plan where such industrial development is proposed to be restricted to 5% of lot coverage. It is the opinion of the Hearing Officers that such restraint is not justified.
- (2) The Hearing Officers see no justification for the inclusion of these lands within the Design Area and reference should be made to the specific reasons set out in Submissions 74, 75, and 87.
- (3) The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.
- (4) The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.
- (5) The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.
- (6) This matter can be adequately controlled through the use of Official Plan and Zoning By-Laws without expanding the Public Open Space Designation in the Plan implying ultimate acquisition by the Province.

File Number: 400-26

Submission Number: 93

Counsel: John C. Pelech

Owner: William T. Hawkins et ux

Land (brief description): Part Lot 22, Concession 2

West Flamborough 15,000 sq. ft.

(Dundas)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The applicant is the owner of a single family house and requests that the same be excluded from the Plan as there is an abundance of Park-land and Public Open Space in the area and his property is in total harmony with the Plan's goals and objectives. The owner does not wish to be acquired now or in the future. He states the cost of purchase could never justify the extension of the public lands to the extent of his property.

Exhibit: 248 Brief

Recommendation:

That the Plan be modified by designating this property Complementary Use.

Reasons:

There is an existing single family residence on this land and the Public Open Space designation leaves the owner with a feeling of anxiety and uncertainty since such designation indicates a possible future acquisition of the lands by the Province. The Plan is unclear and vague as to when such acquisition if any, might occur. This owner wishes to continue to maintain the residential use and we are of the opinion that such uses in this area are complementary to the Plan and do not offend its goals and objectives.

File Number: 400-27

Submission Number: 94

Counsel: Irwin Cooper

Owners: Lakeport Developments Co. Ltd. and Burnhamgate Corporation Ltd.

Land (brief description): Part Lot 7, Concession 1, N.D.S.

Oakville 211 acres

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

The applicants request that the area west of the top of the valley of Joshua Creek be excluded from the Plan and Complementary Use designation to allow for future and ultimate development. Let the Creek form the westerly boundary of the Parkway Belt Plan in this area designating the top of the banks as the edge.

Exhibits: 249 Brief

250 Photos Study Area

Recommendation:

That the Plan be modified as it affects these two properties by deleting from the Design Area that portion lying to the west of the Hydro right-of-way as it may be realigned.

Reasons:

Elsewhere in this Report recommendations have been made which if accepted would have the effect of realigning the right-of-way required for Ontario Hydro in this area. To use the Hydro right-of-way as the westerly hard edge is consistent with planning done in the northerly part of this Mini-belt and in many places elsewhere in the Plan.

Accordingly, there could be no justification for including the subject lands in the Complementary Use Area.

File Number: 400-17

Submission Number: 95

Counsel: C. R. Demaray

Group: Town of Oakville

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

Counsel submits as follows:-

1. Oakville will continue to seek information regarding the future use of Hydro lands east of Winston Churchill Boulevard at the Lake.
2. Council notes there is no significant buffer along the south limit of Highway 403 in the Oakville Area.
3. Oakville supports the exclusion of the Lido Golf Centre lands from the Plan.

Certain other submissions were with respect to inclusion of lands out of the Design and/or Planning area and these were adjourned sine die pending decision of the court in the Chadwill Coal application or possible appeal from the decision.

Exhibit: 251 Brief

Recommendation:

None

Reasons:

The Hearing Officers were advised by legal counsel that it was the intention of the municipality to present a submission for a major broadening of the Parkway Belt Plan. However, in the light of the

Chadwill Coal case counsel withdrew completely all remarks pertaining to this aspect of the brief.

As regards the Lido Golf Centre, see our recommendation in Submission Number 76.

File Number: 400-36

Submission Number: 96

Counsel: E.J. Pivnick, Q.C.

Owner: Sheridan Hills Developments Limited

Land (brief description): Part of Lot 7, Concession 2 N.D.S.

Oakville 86.027 acres

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The applicant owner is requesting that the lands be excluded from the Parkway Belt Plan. It wishes to develop the property in an orderly way and as the logical extension of Registered Plans M155 and M156 which development is already proceeding. The applicant stated the only reason these lands were included in the Parkway Belt Plan was because of the tree stand located thereon. When prior plans of subdivision in the area were approved a small south-west corner of the subject property (Lot 7) was included and a park site and school site set aside in the lot and services have been oversized for development.

Exhibits: 252 Brief

252(a) Exhibits to Brief

253 Aerial Photo of lands and surrounding area

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

In order to consider proper recommendations for Submissions 83, 96, 130, 136 and 138, it is necessary to examine the whole concept of that part of the Joshua Creek Valley Public Open Space Area lying to the north of the Queen Elizabeth Way.

We have been told that the determination of the Design Area in the Plan was the consensus of the Parkway Belt Task Force as set out in the



various reports of their meetings, in this case Report No. 4 (as amended) filed as Exhibit 202. This Report shows the primary function of the Oakville-Mississauga Mini-belt as an urban separator and a corridor for highways and hydro lines, with Joshua Creek Valley Public Open Space Area shown as a possible extension of the Mini-belt, (in the words of the Report "an opportunity to add 700 acres to the Mini-belt and create a large park"), although the original objective was for Public Open Space at the Lake Ontario Shoreline. As presented to the hearing by Mr. Pogue, the Plan stresses the need for Highway links and Hydro rights-of-way, and also includes the Joshua Creek Valley Public Open Space Area.

It is the opinion of the Hearing Officers that the planning for this part of the Mini-belt is inadequate. Joshua Creek is not of sufficient significance to warrant a major public expenditure (according to evidence, many millions of dollars) as proposed by the Plan. Additionally, it has been shown that the woodlots in the area contain major growths of hawthorne trees which are totally useless in Public Open Space, and would require major expenditures to render the area fit for public use. Also, this area is approximately five miles from the very large Bronte Creek Public Open Space Area, now under development. The creation of additional large-scale parks so close to such a major area as the Bronte Creek Park and Ontario Sports Complex should be a local responsibility.

The subject land is adjacent to a built-up urban area and some of the land has been the subject of certain agreements with the municipality for the provision of an expensive water supply system. The lands

enjoyed developable zoning classifications and were purchased for development as part of the Iroquois Ridge Community, a long-range plan of the Town of Oakville.

The exclusion of these lands from the Plan would in no way offend it as regards the provision of Highway links and Hydro rights-of-way. The Highway links and Hydro lines, together with the indicated Complementary Use Areas, will still provide an adequate separator from the Queen Elizabeth Way to the Southern Link.

File Number: 400-28

Submission Number: 97

Counsel: William D. Dunlop

Owner: Norman R. Richardson

Land (brief description): Lot 10, Concession 1, N.D.S.

Burlington 191 acres ±

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The applicant farms the subject lands which are shown in the Plan to be severed by the future alignment of Highway 403. The northern portion of the property is farmed for grain growing and has thereon a 50 acre woodlot. The owner is concerned with the severance of the farm by the location of Highway 403 and the wide Complementary Use Area in this location and his being prevented from building on the First Line on an infilling basis. As a farmer he also worries about future vandalism to farm buildings, machinery, and crops as the urban area to the south develops.

Exhibit: 254 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

With respect to the portion of the submission dealing with the request for release from the Regulations of these lands outside the Design Area reference should be made to General Recommendations elsewhere in this Report.

At the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban Service Area has its northern boundary at proposed Highway 403. Although there was an indication given that long range planning would

provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

File Number: 400-30

Submission Number: 98

Agent: D.A. Lychak

Group: Regional Municipality of Hamilton Wentworth

The City of Hamilton

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

The Region endorses the basic philosophy of the Parkway Belt Plan as protection for the Niagara Escarpment and Cootes Paradise. The Region does not object to further development in the Pleasantview survey area of Dundas provided it be done on an infilling basis with low density residential housing.

The City of Hamilton endorses the goals and objectives of the Parkway Belt Plan and is intending to amend its own Official Plan incorporating the Public Use Area designations shown on the Parkway Belt Plan.

Exhibits: 255 Region's Brief

256 City of Hamilton Brief

Recommendation:

The Regional Submission:

None

The City of Hamilton Submission:

None

Reasons:

The Regional Submission:

The request for deletion from the Plan of a large area of Complementary Use west of Highway 6 has been dealt with in Submission 88 and others, and full and detailed reasons for our recommendation have been set out in that submission. Reference should also be made to our General recommendations elsewhere in this Report.

The City of Hamilton Submission:

The City of Hamilton supports the goals and objectives of the Plan in its existing form and there is no necessity therefore for the Hearing Officers to make a specific recommendation in reply.



File Number: 400-29

Submission Number: 99

Counsel: Paul G. Philp, O.C. and Larry Culver

Owner: Evelyn Walsh

Land (brief description): Part Lot 6, Concession 2

Flamborough Township 2.95 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owner originally had a larger acreage and this was sold off and developed. The remaining 2.95 acres is surrounded by residential housing. The owner wishes to retain a portion of land on the Mountain Brow Road as a garden. She wishes to be exempted from the Plan so that the question of further division of the property could be dealt with locally.

Exhibits: 257 Survey of Property

258 Plan 62 R823 (1973)

259 Sketch of Area

Recommendation:

That the Plan be accepted for this property.

Reasons:

The Hearing Officers have no jurisdiction to recommend severances, or the subdivision of land within the Design Area.

Elsewhere in this Report the Hearing Officers have made general recommendations concerning the restrictive uses imposed by the Plan in Complementary Use Areas.

File Number: 400-33

Submission Number: 100

Counsel: I. Bloom

Owners: Grant Norton et al

Land (brief description): W½ Lot 7, Concession 1, N.D.S. 100 acres  
N½ Lot 6, Concession 1, N.D.S. 100 acres  
Part Lot 4 and 5, Concession 1, N.D.S. 147 acres  
S½ Lot 2, Concession 1, N.D.S. 86.9 acres  
Burlington

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The applicants question the need for the wide band of Complementary Use Area in this location. They wish to have the permitted uses here broadened to allow infilling of residential housing. There was also concern for the severance of the farm by the proposed alignment of Highway 403.

Exhibits: 260 Brief

261(a) to (e) Photos of Existing Homes

Recommendation:

That the Plan be accepted for this property.

Reasons:

With respect to the owners' lands within the Public Open Space area of Bronte Creek the main concern is with the actual acquisition by the province of this property and the staging for such will be dealt with elsewhere in the General Recommendations of this Report. The same applies to the acquisition of the Highway 403 right-of-way.

Concerning these lands in the Complementary Use Area of the Plan, at the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban

Service Area has its northern boundary at proposed Highway 403. Although there was an indication given that long range planning would provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

File Number: 400-46

Submission Number: 101

Counsel: William D. Dunlop

Owner: Harold Wettlaufer

Land (brief description): Part of Lot 28 and Lot 29, Concession 2, N.D.S.  
Oakville 142 acres  
(east of Palermo Station)

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The subject property is within the Design Area of the Parkway Belt and the major portion designated Complementary Use. The owner actively farms the lands and is engaged in the production of milk and the cultivation of complementary crops, such as hay and grain. His concern is for the intrusion of urban development south of Burnhamthorpe Road on lands owned by Ontario Housing Corporation and the ultimate development of land to the east also owned by the Ontario Government. This, he feels, will ultimately impede his farming operation which he wishes to continue on a profitable basis. The owner requests the following:

- (1) Total exemption from the Parkway Belt so the lands will be totally marketable as urbanization proceeds, and
- (2) The Government purchase his total holdings, as in the Design Area, at fair market value so he can relocate the farming operation elsewhere.

Exhibit: 262 Brief

Recommendation:

That the Plan be accepted for these lands.

Reasons:

This land is being actively farmed and is designated Agricultural in the Official Plan and zoned the same and one of the main purposes of this wide band of Complementary Use here is for the preservation of

the farm use. The land to the south owned by the Ontario Government will be subject to the same control and regulations where it is within the Parkway Belt and future Highway 403 will form an adequate buffer from the built up area and a cap to urban development in Oakville in this location.

With the Ontario Housing Corporation owning lands to the south of Burnhamthorpe Road it has been indicated by the Province that there will be no pressure for urbanization within this area for many years.

File Number: 400-43

Submission Number: 102

Counsel: R.M. Syer

Owner: Clock Investments Limited

Land (brief description): Part Lots 7, 8, 9, Concession 2 240 acres ±  
East Flamborough, now City of Burlington  
(East of Grindstone Creek)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The submission requests that the lands be exempted from the Complementary Use Area of the Parkway Belt Plan or in the alternative allowed to develop within the Plan in accordance with the alternate plan proposed for estate-type residential housing on large lots with municipal water and septic tank waste disposal systems. In support of the proposal seven major points are made as follows:

- (1) The development would provide partially serviced low density estate-type housing in a rural environment and would provide it as soon as the approval process permits.
- (2) The development would complement the existing residential development in the area.
- (3) The development of a residential community would provide tax revenue to the Municipality with little or no requirement for the expansion of school or park facilities.
- (4) The servicing of the proposed development with a piped municipal water supply is logical and technically feasible. Septic tank and tile beds could be safely located on each lot with minimal environmental impact.
- (5) The developable acreages within the limits of the site would be completely screened from Waterdown Road by the mature vegetation



in the ravine. No change in the visual characteristics of the site as viewed from Waterdown Road or Highway 403 would be evidenced.

- (6) Within the limits of the development site, certain open space blocks would be dedicated as public parkland to the Municipality, the Ministry of Natural Resources or the Conservation Authority, thereby increasing the amount of Public Open Space acreage available for public acquisition at no cost to the Provincial Government.
- (7) The development site is entirely within the limits of the Central Settlement Area of the Ministerially approved Burlington Official Plan and is zoned in the Development "D" Zone, for future residential purposes.

The suggestion is that the plan proposed can be accomplished within the Complementary Use Area and the allowed uses should be broadened.

Exhibits: 263 Brief by Planistics Group

264 Map of Subject Lands

265 Parkland Inventory existing in Burlington

266 Map of Proposed Park Acquisition Burlington

267 Letter from W.D. McKeough to City Clerk dated 15.1.76

Recommendation:

**That the Plan be accepted for this property.**

Reasons:

It has been stated before that this Link contains many unique features not found elsewhere in the Plan. The Complementary Use Area of the Escarpment Link east of Highway 6 to the King Road area is large and

fragmented into many separate ownerships and uses and divided here by linear facilities which criss-cross the district, e.g. transmission lines, the future utility corridor, Highway 403, C.P.R., and Grindstone Creek.

Permitted uses allow all those found in Section 5.3.3 (a)(i) to (vi) along with new residential housing to a density of one dwelling on 25 acres and an area north of Highway 403 for low density Industrial Development at 5% coverage. We recognize the merits of preserving a more open space type of use here to protect the natural features and the scenic view of the Escarpment slopes and face. Also consideration must be given to the objective of retaining agricultural uses no matter how few such uses there are in this Link.

Evidence heard would indicate that any type of reasonably intensive development may be many years in the future due to lack of services and the present designations of the Official Plan previously applicable to the area. In this case the Complementary Use designation does in fact contribute to achievement of the goals and objectives of the Plan though not in the same degree to all of them.

Protection of the Escarpment itself and the Grindstone Creek Valley has been achieved by designating those areas as Public Open Space. The Complementary Use designation on the remainder of the lands (other than the parts to be acquired for the utilities strip and other linear corridors) is in this instance in our opinion truly complementary to the overall objectives of this Link. Controls will continue to be exercised through the amendment of the Burlington

Official Plan and Zoning By-Laws in conformity with the Plan in the future. We also point out that a review will be necessary under Section 14(1) of the Ontario Planning and Development Act within five years from the date of acceptance of the Plan, and should changes occur in the future potential of these lands for more intensive uses at that time representations may be made to the Minister in that connection.

We recognize the differences in the nature of this area and the Pleasantview Study Area to the west which was excluded and have accepted the Draft Plan here in recognition of those differences.

File Number: 400-38

Submission Number: 103

Agent: D.A. Lychak

Group: Town of Dundas

Land (brief description): General

North of Cootes Paradise to the Toe of the  
Escarpment and bounded by Highway 6 on the  
east, and Valley Road on the west

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

- (a) The Town suggests that the Province immediately acquire all the Complementary Use lands in the Pleasantview Study Area including some 230 existing houses so that the Town will not be required to develop and upgrade the existing roads and services. In the alternative, if the land is not required for Open Space Use, the Parkway Belt Plan should allow low density residential development to occur up to 500 feet south of York Road and the Town could then provide a logical program of upgraded services to the developed area. This development of approximately 40 homes built by way of infilling and some 135 homes by new development would not only offset the maintenance and servicing costs but would be compatible with the Parkway Belt Plan. A lesser addition of say 22 housing units in the area as suggested by the Province would merely worsen the existing problems.
- (b) A second part of the submission of the Town of Dundas related to its proposal to develop a major recreational complex on the abandoned Highway 403 right-of-way together with another area of municipally owned land. The buildings would be located on land designated Public Open Space in the Plan and the Town requests that its proposal be a permitted use in this area or, alternatively

that the area be excluded from the Plan.

Exhibit: 268 Brief of Planning Department and attachments

Recommendation:

Pleasantview Study Area;

None

Abandoned Highway 403 right-of-way:

That the Plan be modified by including as a permitted use the recreational development proposed by the Town of Dundas for this property.

Reasons:

Pleasantview Study Area:

The request for deletion from the Plan of a large area of Complementary Use west of Highway 6 has been dealt with in Submission 88 and others, and full and detailed reasons for our recommendation have been set out in that submission. Reference should also be made to our General recommendations elsewhere in this Report.

Abandoned Highway 403 right-of-way:

This use would not appear to be in conflict with the goals and objectives of the Plan in this Public Open Space Area located as it is at the western extremity of the Escarpment Link.



File Number: 400-47

Submission Number: 104

Counsel: Joseph N. Pigott

Owner: McMaster University

Land (brief description): General

West End Parkway Belt

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The lands presently included in the Parkway Belt owned by McMaster were included as late as 1975 by Regulation, none having been in the Parkway Belt originally. Those lands now included are designated Public Use.

The submission is that such land as included should be excluded from the Parkway Belt as McMaster and the municipality exercise sufficient control over the property as to make it unnecessary to designate such as Public Open Space. All objectives of the Parkway Belt Plan are adequately met without the McMaster lands being added.

Exhibits: 269 Brief of McMaster

270 Central Campus Survey

271 West Campus Survey

272 Zoning By-Laws Hamilton No. 6593 as amended

Recommendation:

That the Plan be modified by deleting the whole of the property from the Design Area.

Reasons:

These lands are now subject to stringent controls by the land use by-laws of the City of Hamilton, such controls having been developed specifically for the University. To designate a University campus as Public Open Space could present an impediment to long range planning



for a continued use which in our opinion is compatible with the goals and objectives of the Parkway Belt Plan.

File Number: 400-48

Submission Number: 105

Counsel: Morton G. Gross

Owners: D.B.F. Holdings Ltd.

Demro Holdings Ltd.

Land (brief description): Part of the east  $\frac{1}{2}$  Lots 9 and 10, Concession 2  
Town of Oakville 270 acres  $\pm$   
(Derry Road and Highway 25)

Parkway Belt Sector: Burlington Oakville Mini-belt, Map 6

Summary of Submission:

The subject lands were purchased for the purposes of an ultimate housing development and a substantial amount paid in cash, the balance secured by a mortgage or mortgages presently in default upon which foreclosure has been commenced. The owners are satisfied to let the 25 acre parcel at the north-east corner of the property remain in the Parkway Belt so that the 16 mile (Oakville) Creek may remain protected. They request the remaining acreage be exempted as it is a mere additional spur of the Parkway Belt extending to the Escarpment in this location. The lands are near a hospital and commercial development and lands to the south are slated for long-term urban development.

The permitted uses in the Complementary Use designation are not economically feasible for the property and the lands are not needed to meet the Plan's goals and objectives.

Exhibit: 273 Brief of Gross

Recommendation:

That the Plan be modified by changing the designation of the Public Open Space for these lands to Complementary Use.

Reasons:

These lands form the part of the Parkway Belt connection to the Niagara Escarpment Planning Area. The Toronto-Centred Region concept as re-

affirmed by Exhibit 39 provides for separators between urban and/or future urban envelopes. Such a function is performed by the designation of the whole of these lands for Complementary Use. In our opinion there is not now any justification for retaining the Public Open Space designation on these lands in view of our recommendations on Submissions 129, 132, and 229.

As specifically set out in the Plan a main objective in this Link is the separation by Open Space of the Milton West Future Urban Area and the built up area at Milton itself, which separation is achieved by the inclusion of these lands along with the hospital property presently in public ownership. We are satisfied that this objective is justified, having gone over the Milton brief and taking into consideration the provisions for the five year review of the Plan under Section 14(1) of the Ontario Planning and Development Act. (See also Submission 69.)

File Number: 400-51

Submission Number: 106

Counsel: A. Leibel

Owner: The Cadillac Fairview Corporation Ltd.

Land (brief description): Part Lots 3, 4 & 5, Concession 1, N.D.S.

Mississauga

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

The submission concerns the development of lands owned by Cadillac Fairview being an assembly of some 7000 acres under progressive development as Erin Mills New Town. The proposal is for the relocation of the Hydro right-of-way which, through a portion of the development, forms the easterly hard edge of the Parkway Belt. Three alternative routes are shown and described in Exhibit 274 and the relative merits and costs are compared. Alternative number 2 in the brief shows the Hydro alignment to the west of the Queen Elizabeth Way/Highway 403 connecting link and this is proposed as being the preferred route from both a development and cost standpoint. By the relocation of the Hydro right-of-way, a significant acreage for development would be preserved for which trunk utilities are already in place.

At the same time it is submitted that no disadvantages would accrue to the Mini-belt thereby compromising the Parkway Belt Plan or its goals and objectives.

Exhibits: 274 Brief

275 Qualifications of John Williams

276 Working Drawings

277 Brief

Recommendation:

That the Plan be modified by deleting from the Design Area those lands

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lying east of the Queen Elizabeth Way/Highway 403 connector and relocating the Hydro right-of-way in this area to the west of that Highway connector.

Reasons:

The Hearing Officers are of the opinion that none of the goals and objectives of the Plan would be jeopardized by the deletion of the company's lands from the Plan in this area. The Highway connecting link would form a satisfactory easterly hard edge to the Mini-belt. Considering our recommendations with respect to the Hydro alignment for submission 155 (Ford of Canada) and recommendations both specific and general in respect to this area, relocation of the Hydro right-of-way west of the Highway connector would on the evidence be less costly and more in general keeping with the concept of the Mini-belt in this area. The constraints imposed by proposed development and the changes recommended in this section of the Mini-belt south of the Southern Link in our opinion justify the relocation of the Hydro alignment generally as set out in Alternative 2 Exhibit 274.

File Number: 400-78

Submission Number: 107

Counsel: George Yates, Q.C.

Owner: Samuel Roy Enterprises

Land (brief description): Part Lots 26, 27, and 28, Concession 2

West Flamborough, now Dundas

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

Properties owned by the applicant herein are all within the study area referred to in the submission of the Town of Dundas through the Regional Planning Director (Submission 103, File 400-38). The subject lands are south of York Road and west of Highway 6 being severed by the CPR line and Mount Hope Transmission Line. The submission proposes that the lands be removed from the Complementary Use designation or in the alternative the lands be allowed to develop within the Plan and in accordance with the concept of the Region and set out in its study so that a major portion of the property could be developed notwithstanding some of the inconsistencies in the study relating for instance to the 500 foot set back from York Road. The brief indicates that both the general Parkway Belt goals and the specific objectives in this case could be adequately achieved with the alternative development as proposed by the Roy Plan.

Exhibits: 278 Brief, M.M. Dillon

279 Map of Existing Developed Areas

280 Map showing Settlement Capability

281 S. Roy Alternative Development Plan

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of the owner's land now designated as Complementary Use.



Reasons:

This is part of the Pleasantview Study Area. As such it would not appear logical to leave these related lands in isolation under a Complementary Use designation. It is our opinion that the Complementary Use designation in this area has not been justified under the Plan as stated in connection with other submissions.

With the Town of Dundas and the Regional Municipality of Hamilton Wentworth in support of this owner's submission for exclusion to provide for some residential development within the structure of the Region, adequate controls will be imposed on any future development of this property.

Although part of the property is designated in the Official Plan for agricultural uses the quality of the land itself and its present fragmented state does not lend itself to this purpose. Reference should also be made to our General recommendations elsewhere in this Report.

Owners: Gary and Barbara Campaigne

Land (brief description) : Part Lot 6, Concession 3 E. F.

Flamborough (Waterdown) 5.2 acres

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owners wish to be allowed to build on the property and to obtain road access through the park or the subdivision to the south of them which is not at present provided.

They wish to be exempted either in whole or in part from the Parkway Belt. They have received clearance from the Conservation Authority to build and the municipal council recommended exemption. The lands were formerly in the Escarpment Planning Area but this was amended.

They wish to develop with the Rentwood Subdivision.

Exhibits: 282 Proposed Subdivision Plan

283 Letter from Conservation Authority (26th May 1976)

284 Letter from Municipality (25th August 1975)

285 Letter from Planning Committee,

Hamilton-Wentworth Region RE: Access

286 Letter from George Kerr (14th May 1975) RE: Access

Recommendation:

That the Plan be accepted for this property.

Reasons:

Although this land is vacant and some of it might be suitable for development presently, there is considerable problem in gaining access to the tableland.

This land is in a Public Open Space area as are the three existing houses located nearby in the Grindstone Creek Valley. Under the provisions of the Plan the property may ultimately be acquired by the Province. The built-

up area across the creek from these lands and the area formerly known as the proposed Rentwood Park subdivision is in whole or in part outside the Design Area and accordingly this property might be said to be landlocked. It is noted that under Section 14(1) of the Planning and Development Act the Plan must be reviewed within five years from the date of its approval.

File Number: 400-57

Submission Number: 109

Counsel: Rudolf Koppe

Owner: Ruko of Canada Ltd.

Land (brief description): Part Lot 35, S.D.S. 3.04 acres  
555 Winston Churchill Boulevard, Mississauga  
(north of Ontario Hydro site)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject property has a house situated on it and when purchased in 1972 was zoned Residential R.3. with an Official Plan designation of Industrial. The property is presently in Complementary Use area of the Parkway Belt Plan. The owner Company wishes to expand from its present premises (elsewhere) to this site in an M.1. zoning and the Cement Plant and sewage treatment facility are nearby. The company is not a speculator or land developer and is paying over \$1200 in realty taxes on a \$53,500 property incapable now of being used as intended. Request here is for exemption from the Design Area or let Hydro buy the site now for its future uncertain expansion or exchange with him Industrial land in the Mississauga Area.

Exhibit: 287 Brief

Recommendation:

That the Plan be modified by deleting these lands from the Design Area.

Reasons:

There is no definite indication that these lands are required for the Ontario Hydro future generating site on the Lakeshore. The lands were purchased on the clear understanding of their future use as designated in the Official Plan of the municipality as Industrial.

We see no justification for the lands being designated Complementary Use thereby seriously restricting their development, considering the recommendation of the Municipal Advisory Committee Exhibit 8, and the fact that there is no imminent chance of purchase of the property by the Province.

The owner made strong representation as to his intention to relocate his thriving business on this property, the same having been purchased for this purpose. He employs 45 persons and the business is expanding rapidly.

File Number: 400-59

Submission Number: 110

Counsel: M.W. Kellerman, Q.C.

Owners: Seriphos Investments Ltd.

Fosseri Investments Ltd.

Land (brief description): Part Lot 2, Concession 3 N.S.

Oakville 200 acres

Parkway Belt Location: Burlington Oakville Mini-belt, Map 6

Summary of Submission:

The owners wish exemption from the Parkway Belt since the lands will not be required for parkland as they are reasonably close to Bronte Creek Provincial Park. There are also no linear facilities such as highways, Hydro, or utility strips required in this location. Even if the small strip along Oakville Creek is included for public use the whole of the 200 acre parcel could not be justified as being required and remaining as Counsel states "frozen" under the Parkway Belt Legislation.

Exhibit: 288 Brief by way of Letter of Counsel

Recommendation:

That the Plan be accepted for this property.

Reasons:

A considerable portion of this farm will be purchased for Public Open Space along the Oakville Creek and is a logical expansion of publicly owned parklands in the area.

It is the opinion of the Hearing Officers that the acceptance of the Plan here is a proper recommendation to maintain the generally rural and agricultural character of the district. It also provides the urban separator function as enunciated in the Toronto-Centred Region Plan between the Milton East and Milton West future urban areas.



No development in this area or provision of services is contemplated for a considerable period of time by anyone who gave evidence before us. We point out that Section 14(1) of the Ontario Planning and Development Act requires a review of the Plan within five years from its acceptance.

File Number: 400-65

Submission Number: 111

Counsel: Lawrence D. Pringle

Owner: Jesco Afheldt

Land (brief description): Part Lot 6, Concession 1, N.D.S.

Oakville 15 acres

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject property is located on the Ninth Line and is totally within the Complementary Use Area of the Mini-belt. The submission contends that the Parkway Belt should be narrowed here as it is north of the Southern Link and at Burnhamthorpe Road so as to exclude the subject lands since same cannot be justified within the widened part of the Mini-belt in this area. In addition Counsel states the uses allowed are so restrictive that the plan results in expropriation of the lands in the Complementary Use designation without compensation. Some means should be inserted in the Plan to compensate such owners whose lands are so down zoned or restricted in size as to make them unmarketable.

Exhibit: 289 Brief of Counsel

Recommendation:

That the Plan be accepted as it relates to these lands.

Reasons:

This property is presently designated Complementary Use in the Plan. Located as it is, west of the Highway 403/Queen Elizabeth Way link such lands must be included in the Mini-belt to accomplish the goals and objectives as set out in the Plan. It may be that with the relocation of the Hydro right-of-way as recommended a portion of the lands herein may have to be acquired for that purpose.

File Number: 400-61

Submission Number: 112

Agent: Harvey Ash

Owners: Jacob Friedman and Deering Construction Ltd.

Land (brief description): Part of Lot 11, Concession 4 53.709 acres  
Milton (Derry Road and Fourth Line)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The land is included in the Complementary Use Area and is not affected by Oakville Creek. The property was purchased in 1969 and intended for future development by owners. They wish to be excluded and state the Milton Urban Area should be allowed to expand easterly to the property so it can be developed for residential and commercial uses. In the alternative, let the Province purchase the property at market value as it is unsuitable for farming or golf course uses, or any others contemplated by the Parkway Belt designation.

Exhibit: Nil

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

The Hearing Officers have found it necessary to deal with this submission in connection with a group of submissions, five in all, which represent a combined large area of Complementary Use lands immediately east of the built up area at Milton. The whole of this area is bordered on the south by Derry Road, on the north by Highway 401, on the east by Milton Station and the Fourth Line, and on the west by the Third Line, sometimes known as Thompson Road. It is to be noted that Map 6 within the Draft Plan is considerably outdated in its illustration of the built up area

at Milton and that the aerial photographs (Exhibits 325 and 326) show in more detail that Milton built up area which presently exists to the Third Line.

Representations made to us were similar in nature by all those owners in this area, and are set out in detail in the summary of submission above. In most cases we were advised of the development potential and in some cases the monies already expended towards that possibility. We are fully aware of government policy as enunciated by the Toronto-Centred Region Study, and note the particular statement of March 1976 (Toronto-Centred Region Program Statement) in which the Government reaffirms that concept as follows:

"In considering these events of the past five years, the Government has concluded that the basic TCR policy continues to be sound and workable, but that it should be adjusted to reflect the conditions of 1976. At this stage, the Government reaffirms its commitment to the Toronto-Centred Region concept as the basis of its policy for managing growth and development in this region, and will continue to move vigorously in putting the policy into effect."

Considering the above statement and paying particular attention to the strong representations by the owners in this area, along with the Town of Milton itself, and noting as well the urbanization presently existing west of the Third Line, together with the municipal ownership east of that road, we are of the opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

The properties if developed at all will do so under the control of the municipality, the Region, and as is always the case to some extent the Province.

The changing conditions in this area and the maintenance of the integrity of the Parkway Belt Plan as part of the Toronto-Centred Region concept have resulted in our recommendation.

File Number: 400-58

Submission Number: 113

Counsel: Gary Smith

Owner: Kulan Construction & Development Limited

Land (brief description) Part Lot 4, Concession 1, S.D.S. 40.037 acres  
Oakville (North of Q.E.W. at Ford Drive)

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

This property purchased in 1957 has been held since that time with the intention of development at some time in the future. Plans had been prepared just prior to the introduction of the Parkway Belt Plan. The lands are stated as being ideally suited for light industrial or commercial use as envisaged by the owner. The property is close to the Queen Elizabeth Way and next to the proposed Highway 403 and would be bordered by transmission lines to the west and north so that development would not detract from any intended separator function or definition of communities. The owners wish to be exempted from the Plan.

Exhibit: 290 Brief of Counsel

Recommendation:

That the Plan be accepted as it relates to these lands.

Reasons:

This property is presently designated Complementary Use in the Plan. Located as it is, west of the Highway 403/Queen Elizabeth Way link such lands must be included in the Mini-belt to accomplish the goals and objectives as set out in the plan. It may be that with the relocation of the Hydro right-of-way as recommended a portion of the lands herein may have to be acquired for that purpose.



File Number: 400-62

Submission Number: 114

Counsel: Andrew N. Kutney

Owners: Brentano Investment Ltd., Estate of N. L. Kutney

M. Kutney, M. Marcuzzi

Land (brief description): Part Lot 3, Concession 9, S.D.S. 29.199 acres

Oakville (North of Q.E.W. at Hydro Line)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject lands lie in the area of the proposed alignment of the Hydro transmission lines. They were purchased in 1956 for future development and are vacant. The owners agree with the Parkway Belt concept but are opposed to the location of the Hydro right-of-way across the lands. Costs of putting Hydro lines on the angular routes as shown in the Plan are much higher than if straight line routes are chosen. The submission proposes an alternate route to the west of the lands herein and requests exemption from the Plan.

Exhibits: 291 Map 7 showing alternate Hydro route

292 Alternate no. 1 Task Force Report (September 1970)

293 Alternate no. 2 Task Force Report (September 1970)

294 Task Force Map (April 27, 1972)

295 Brief of Counsel

Recommendation:

That the Plan be modified by deleting the whole of the lands of the owners from the Design Area.

Reasons:

It is the opinion of the Hearing Officers that in accordance with this and other submissions made in the general area there is no justification for the location of the Hydro right-of-way east of the Highway 403/Queen Elizabeth Way connecting link. In order to provide consistency

in our recommendations these lands are excluded from the Parkway Belt since the Hydro right-of-way should ultimately be located west of the above mentioned Highway connector in this area.

File Number: 400-63

Submission Number: 115

Counsel: Irving I. Frisch

Owner: Dunburlton Developments Ltd.

Land (brief description): Part Lot 14, Concession 1, N.D.S.

Burlington 160 acres

(South side of No. 1 Sideroad)

Parkway Belt Location: Escarpment Link, Map 2

Summary of submission:

The owner wishes relaxation of or extension to the permitted uses in the Complementary Use Area so that lands under the designation can ultimately be developed. The brief makes the following specific requests:

- (1) The Province should purchase the north portion of the property which is wooded, for Public Open Space.
- (2) Allow development of the south portion of the lands fronting Highway 5 for commercial use such as motel and service station.
- (3) Allow 25 acre estate lot development in middle northern area retaining wooded buffer at the north limit of lands.
- (4) As an alternative to residential estate lots allow institutional uses such as a country club or riding stable with outdoor recreation as the main thrust.
- (5) Allow any combination of the above.

Exhibit: 296 Brief by way of letter

Recommendation:

That the Plan be accepted for this property.

Reasons:

We are of the opinion that no purchase should be made by the Province of the wooded area at the north limit of the lands as Public Open Space within the Plan has been adequately provided for.

Though the establishment of estate lot development, or institutional uses designed towards outdoor recreation may have merit in certain Complementary Use Areas of the Plan, at the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban Service Area has its northern boundary at proposed Highway 403. Although there was an indication given that long range planning would provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

File Number: 400-64

Submission Number: 116

Owners: Brian Latto and Lesley Latto

Land (brief description): R.R. No. 2, Valley Road

Dundas 1.75 acres

(at Escarpment)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owners purchased the lands and premises some ten years ago and have spent much time and personal effort in their improvement cutting many dead trees and planting others. Their lands have been designated for Public Open Space and therefore acquisition in the Plan and they feel this is ludicrous due to the amount of parkland in the area. They wish to be exempted and wish to retain their lands in their ownership and control. Minor development should be allowed and individual properties should be examined and not acquired in the majority of cases as there is no need to do so. Further suggestions are made as to future procedures to be adopted in dealing with lands in the Parkway Belt with respect to notices, appeals, etc.

Exhibit: 297 Brief

Recommendation:

That the Plan be modified by designating this property Complementary Use.

Reasons:

There is an existing single family residence on this land and the Public Open Space designation leaves the owner with a feeling of anxiety and uncertainty since such designation indicates a possible future acquisition of the lands by the Province. The Plan is unclear and vague as to when such acquisition if any, might occur. This owner wishes to continue to maintain the residential use and we are of the opinion that

such uses in this area are complementary to the Plan and do not offend its goals and objectives.



File Number: 400-67

Submission Number: 117

Owners: Misses Bernice and Eloise Anderson

Land (brief description): Part Lot 8, Concession 2

East Flamborough (Now Burlington) 3 acres

(South Side of Snake Road)

Parkway Belt Location: Escarpment Link, Map 2

#### Summary of Submission:

The ravine portion of the subject property is in the Public Use Area and the level upper portion on Snake Road is in the Complementary Use Area. The lands have been in the family since 1912 and owned by the sisters and used as an orchard since 1963. Operating the orchard has now become too difficult and uneconomic, so the trees were removed.

The property is alleged to be developable with services available and the owners wish to establish six lots of 70 feet frontages on Snake Road with a daytime park to the rear, retaining one further lot for their retirement. Due to development in the immediate area and their wish to donate the park and access to it, they wish the lots, as proposed, to be exempted.

#### Recommendation:

That the Plan be accepted for this property.

#### Reasons:

The Hearing Officers have no jurisdiction to recommend severances, or the subdivision of land within the Design Area.

Elsewhere in this Report the Hearing Officers have made general recommendations concerning the restrictive uses imposed by the Plan in Complementary Use Areas.

File Number: 400-112

Submission Number: 118

Owners: Mr. and Mrs. F. Hammond

Land (brief description): Part Lot 8, Concession 2

Burlington, (1993 Snake Road)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The subject lands are located on Snake Road south of the C.P.R. Water service is available to the property and it appears to be in the Complementary Use area of the Plan.

The owners wish to remain in the Parkway Belt Plan as they believe in it and its concepts but they want to sever two lots from their property to provide money from their sales for ill health or retirement in the future. They treat the additional lots as being an infilling situation and believe they would comply with existing zoning regulations in Burlington.

Exhibit: 299 Brief and Map

Recommendation:

That the Plan be accepted for these lands.

Reasons:

The Hearing Officers have no jurisdiction to recommend severances within the Design Area of the Plan as requested.

Elsewhere in this Report the Hearing Officers have made comments and General recommendations in respect to the restrictive criteria relating to the permitted uses in the Complementary Use Area.

File Number: 400-108

Submission Number: 119

Owners: William T. Dodds and Susan A. Dodds

Land (brief description) : Part Lot 8, Concession 2, 6.8 acres

East Flamborough Now Burlington

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owners wish to develop and build a single family residence on the brow of the Grindstone Creek ravine. They wish to have a lot for their house excluded from the Parkway Belt Public Open Space designation. Hydro and Union Gas rights-of-way cross the property and it appears the lands may already be severed into two parcels; separated by one or other of the rights-of-way.

Exhibit: 300 Brief

Recommendation:

That the Plan be modified by designating as Complementary Use that portion of this property lying south of the Ontario Hydro land.

Reasons:

The parcel referred to above is tableland fronting on an open road and the designation of Public Open Space on this land is not necessary to preserve the goals and objectives of the Plan.

File Number: 400-103

Submission Number: 120

Agent: J. Totten

Group: Burlington North Tyandaga Residents' Association

Land (brief description): General

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The Association, composed of some 100 residents in the North Burlington area supports the Parkway Belt Plan, its goals and objectives. They wish the Plan to be more stringent in its control of Public Open Space Areas rather than including therein roads and utility corridors. The Tyandaga subdivision abuts the Parkway Belt and this makes it a desirable housing location.

They are hopeful that agricultural land will be retained in that use and industrial or other developmental uses will not encroach on farming.

The Parkway Belt Plan should be expanded to other areas of Ontario and to agricultural planning as well.

Exhibit: 301 Brief

Recommendation:

None

Reasons:

This is a general submission in support of the Parkway Belt Plan and its goals and objectives. Concern was expressed at the inclusion of transportation and utility corridors within Public Open Space and Public Use Areas. This of course is an integral part of the Plan itself and only in very rare circumstances would a recommendation for change of alignment be made by the Hearing Officers.

File Number: 400-68

Submission Number: 121

Counsel: L. J. O'Connor

Owner: Chain Gate Developments Limited

Land (brief description): Part Lot 3, Concession 3, S.D.S.

Oakville 2 acres ±

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject property is outside of the Design Area of the Parkway Belt but within the Planning Area.

The matter was adjourned sine die pending a successful appeal from the decision in the Chadwill Coal case to be then brought forward again at the request of the solicitors for the owner.

Exhibit: 302 Divisional Court Decision Chadwill Coal Company vs. McCrae et al.

Recommendation:

None

Reasons:

The Hearing Officers have no jurisdiction (lands outside the Design Area). See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 400-72

Submission Number: 122

Counsel: Miss L.C. Brown

Owner: S.B. McLaughlin Associates Ltd.

Land (brief description): Lots 14 and 15, Concession 2 N.D.S.

Oakville 263.8 acres

Parkway Belt Sector: Southern Link, Map 3

Summary of submission:

The subject lands straddle the Southern Link just east of the Oakville Creek Public Open Space Area and are severed by the transportation and utility corridors with the Complementary Use Area between. Some 87.2 acres are within the Design Area. The lands are actively farmed and were acquired in 1968. The submission requests:

- (1) Modify the Plan to reflect the Design Rationale in the Appendix to extend the uses in the Complementary Use Area to include all those in Section 5.3.3 rather than further restricting the uses as has been done in this area.
- (2) Amend Section 5.3.3 to incorporate a clear statement that where proposals are made for development and the Province does not wish to purchase lands such proposals may proceed without Parkway Belt Plan amendment.

Exhibit: 303 Map of Subject Lands

Recommendation:

That the Plan be accepted for these lands.

Reasons:

The subject lands are zoned Agricultural and designated in the Official Plan for Agriculture, Residential and Open Space Uses. They are presently being actively farmed and one of the main purposes of this Complementary Use Area is to preserve such operations. Much of the



land in this submission is outside the Design Area and additional property within the Design Area will be purchased for linear facilities. It is the opinion of the Hearing Officers that any future development north of the proposed Highway 403 alignment will be many years in the future. The permitted uses in the Complementary Use Area here reflect those uses contemplated in the Official Plan and the Zoning By-Law.

Elsewhere in this Report the Hearing Officers have made General Recommendations concerning permitted uses within the Complementary Use Areas of the Plan.

File Number: 300-49

Submission Number: 123

Counsel: Miss L.C. Brown

Owner: S.B. McLaughlin Associates Ltd.

Land (brief description): Part Lots 12-15 inclusive

18-20 inclusive, and 22 and 23

Concession 2 N.D.S.

Mississauga 1200 acres ±

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The owner is in agreement with the location of the proposed Highway 403 transit corridor and other portions of the Parkway Belt in this area as affecting the northerly part of its lands. Such location of the Parkway Belt here it submits, outweighs any environmental concerns (e.g. for saving wooded areas) as might be otherwise expressed.

Exhibit: 304 Map of Subject Lands

Recommendation:

That the Plan be accepted for this property.

Reasons:

The submission supports the Parkway Belt Plan indicating that its location here outweighs any environmental concerns, e.g. those set out in the SOTAS Submission 55.

File Number: 400-73

Submission Number: 124

Counsel: M. E. Weir, Q.C.

Owner: E. J. Liptay, (Richview Golf Course)

Land (brief description): Part Lots 31, 32, 33, Concession 1 S.D.S.

Oakville 290 acres

Parkway Belt Location: Burlington Oakville Mini-belt, Map 6

Summary of Submission:

There is an 18-hole golf course on the subject property with some 400 members and a pay-as-you-play and tournament policy of operation. It is submitted that the Parkway Belt provisions be amended so as to permit certain uses on private golf course property which would be in harmony with the overall open space character of the area (e.g. estate-type housing, motel and resort uses). It is requested that Parts 1, 3, and 4 as shown outlined in red in Exhibit 305 of the survey of the lands be released from the Parkway Belt Plan. The owner is satisfied to let the remainder of the property remain in Private Open Space. Otherwise financial assistance from the Province would be necessary to maintain the Golf Course as presently operated.

Exhibits: 305 Survey of Subject Lands

306 Brief M. E. Weir, Q.C.

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

The inclusion of this land has in our opinion not been justified. It is presently in golf course use and might be said to afford some protection to the large Bronte Creek, Fourteen Mile Creek Public Open Space area and Provincial Park.

The Plan is vague and indefinite as to whether future public acquisition of these lands will occur. Adjoining lands outside the Design Area and extending northerly to Highway 5 are in the same ownership and if development compatible with the golf course use were to occur on the Highway 25 frontage we are advised the golf course uses could be extended by the owner on the lands outside the Design Area.

To restrict a private owner to the existing uses and impose upon him the uncertainties as to future acquisition is in our opinion too great a hardship for the possible public good where such an extensive area of open space is now under public control.

We make this recommendation notwithstanding that elsewhere in this Report General recommendations as to the staging of public acquisitions have been made.

File Number: 400-110

Submission Number: 125

Counsel: M.E. Weir, Q.C.

Owner: Mazmik Developments Limited

Land (brief description): Part Lot 8, Concession 4, N.S.

Oakville 49.568 acres

(now Milton)

Parkway Belt Sector: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The subject lands are rented for farm use in an agricultural area and are in the Complementary Use designation under the Parkway Belt Plan. The property is vacant, devoid of significant tree growth and possesses no scenic value. Mazmik acquired the land in 1972 for the specific purpose of developing it for housing in the future. The Parkway Belt is excessively wide in this area and no transportation or hydro facilities are planned except the future Dorval Way at the extreme east limit.

The owner submits that the lands should be excluded or in the alternative purchased by the Province for future requirements if it establishes the width of the Parkway Belt as being justified here.

Exhibits: 307 Survey of Subject Lands

308 Brief, M.E. Weir, Q.C.

Recommendation:

That the Plan be accepted for this property.

Reasons:

The broad band of Complementary Uses in this section of the Belt provides for the maintenance of the agricultural and rural character of the area and the broad separator between Milton East and Milton West Future Urban Areas.

The urbanization of this area is premature in the opinion of the Town of Milton submission and the Hearing Officers agree. The Official Plan and Zoning By-Law show the property as agricultural, and in the opinion of the Hearing Officers the lands are too far removed from the urban area to allow development to occur.



File Number: 400-44

Submission Number: 126

Counsel: Roger Elliott

Owners: Longmoor Building Corporation

Land (brief description): Part Lots 20, 21 and 22, Concession 1 S.D.S.

Burlington 72 acres

(West Brant Street, South of Dundas)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

A portion of the subject lands are outside the Design Area and zoned Residential, in part for multi-family dwellings. The remaining lands south of an existing subdivision are designated Public Open Space in the Parkway Belt Plan. The 100 foot future utilities corridor severs the lands into two parts. The Tyandaga Phase Three subdivision lies to the south.

There appears to be little problem with respect to water and sewer services to the property and the owner proposes a subdivision plan as a logical extension of the Beaufort subdivision to the north. The easement for future utilities has been retained in the proposal and a section of wooded area in the south-west corner left in the Parkway Belt as a buffer to the development.

The submission is that none of the Parkway Belt goals or objectives would be jeopardized by allowing such development to proceed.

The owner requests exemption from the Parkway Belt Plan for the portion of lands to be developed. In the alternative it would accept a Complementary Use designation allowing development to the scale permitted in the Beaufort subdivision.

- Exhibits: 309 Overall Servicing Plan
- 310 Map of Storm Drainage Design Area
- 311 Map of Sanitary Sewer Design Area
- 312 Proposed Draft Subdivision Plan (including Beaufort)
- 313(a) to (g) Photos of various views of Subject Property
- 313(h) Map of Photo Locations
- 314 Ontario Municipal Board's Decision (July 1972)
- 315 Burlington Planning Departments's Report (July 30, 1975)

Recommendation:

That the Plan be modified by redesignating these lands to Complementary Use with a special section added to the Plan to permit residential development on the same scale as that allowed in the existing Beaufort subdivision to the north; save and except the south-west heavily treed portion of the property designated Block "B" on Exhibit 312 which should remain Public Open Space. The future utilities easement should remain in its alignment as shown on Exhibit 312.

Reasons:

This vacant land sandwiched between two established built-up subdivisions enjoys residential zoning and a full range of services is immediately adjacent and sufficient to serve this parcel. In view of the designation in the Plan already applied to the existing Beaufort subdivision we fail to see any reason why this area should not also be so classified and enjoy the same development rights. When vacant land is in a situation such as previously described there must be some major overriding and compelling reason to justify its purchase for Public Open Space. Such reasons have not been demonstrated or justified at the Hearing. (See also Submission 217 - Beaufort Height

Residents)

File Number: 400-45

Submission Number: 127

Counsel: R.R. Elliott

Owner: Adrex Holdings Ltd.

Land (brief description): Part Lot 14, Concession 7

Oakville 82 acres

(south-west corner Highway 401 and Trafalgar Road)

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

This property is presently in Agricultural use containing a house, barn, and outbuildings. The whole of the land is in Complementary Use designation under the Parkway Belt Plan and the Ministry of Transportation and Communications has sufficient land for the Interchange Quadrant between Highway 401 and Trafalgar Road. The Parkway Belt here extends from Highway 401 on the north to the Hydro right-of-way and CPR to the south. The submission is that the Complementary Uses allowed here should be broadened to include Highway commercial uses for food, fuel, and accommodation at this important interchange. Only a portion of the property would be used and such would not compromise the goals or objectives of the Plan as this is a special situation and in the public interest.

Exhibits: 316(a) and (b) Photos of Subject Lands

317 Property Map

Recommendation:

That the Plan be modified by deleting from the text Specific Policy 6.3.3(n).

Reasons:

This is a predominantly agricultural area and much of the property within the linear facilities and designated for Complementary Use in this general section of the Belt south of Highway 401 has in fact been

acquired and is in Provincial ownership and control.

The Hearing Officers are of the opinion that the remainder of the property in Complementary Use and privately owned should not be so restricted by the permitted uses set out in Section 6.3.3(n) of the Plan. Accordingly we have accepted the designation here but have made General recommendations elsewhere in this Report concerning the permitted uses in Complementary Use areas.

File Number: 400-44

Submission Number: 128

Counsel: R.R. Elliott

Owner: Positive Holdings Limited

Land (brief description): Part Lot 9, Concession 3 93.186 acres  
Part Lot 10, Concession 3 93.474 acres  
Oakville (Milton Area)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The subject property is located on the south side of Derry Road immediately south of the built up area of Milton and is designated Complementary Use in the Plan. The owner company is a residential subdivider and purchased the lands in 1969 for future development. The subdivision to the north has draft approval as of April 1976. The submission is that the designation of the Parkway Belt Complementary Use Area here reflects pre-existing Provincial policies for the creation of a Milton West and Future Milton East Urban Area. If such does not develop the width of the Parkway Belt here and retention of this agricultural land would be unnecessary. The submission requests exemption from the Plan allowing lands to develop with the existing Milton urban area.

Exhibits: 318 Map of Subject Lands

319(a) Subject Lands (Photo)

319(b) Lands on north side of Derry Road (Photo)

Recommendation:

That the Plan be accepted for this property.

Reasons:

The broad band of Complementary Uses in this section of the Belt provides for the maintenance of the agricultural and rural character of

the area and the broad separator between Milton East and Milton West Future Urban Areas.

The urbanization of this area is premature in the opinion of the Town of Milton submission and the Hearing Officers agree. The Official Plan and Zoning By-Law show the property as agricultural.

It is to be noted that in any event Section 14(1) of the Ontario Planning and Development Act provides for a five year review of the Plan.



File Number: 400-69

Submission Number: 129

Counsel: R.R. Elliott

Owners: Charles and Elizabeth Martin

Land (brief description): Part of Lot 7, Concession 3

Milton 204 acres

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

These lands are being successfully farmed in an active livestock and broiler chicken operation and producing some 5000 bushels of grain along with corn in this intensive operation. The valley land appears to be the most fertile portion of the farm for pasture and corn crop. The submission is that the valley land is absolutely essential to this owner for the continued proper and viable operation of the business. Public Use of the valley land (Oakville or 16-mile Creek) would be in direct conflict with the agricultural use and would sever the farm operation and disrupt it totally. The request here is to remove the lands from the Parkway Belt and allow the farming operation to continue and intensify. The Parkway Belt in this location is a disruption to the farming and agricultural community. The Public Use of the Creek bed and valley lands takes the best portions of the property out of agricultural production and bisects the operation. Let the Regional Conservation Authority protect the stream and banks with its flood plain and fill regulations. The Parkway Belt creates uncertainty for the owner and results in a deterrent to expansion and increased production by additional capital expenditures.

Exhibits: 320 Coloured Aerial Photo of Southern Lands (excluding southern limits)

Recommendation:

That the Plan be modified by changing the designation of the Public

Open Space for these lands to Complementary Use.

Reasons:

This was undoubtedly the best presentation made to this hearing by an active farmer. Exhibit 320, a coloured picture illustrates the very intensive and viable agricultural use that can be made of lands in this district. We were impressed with the evidence given as to the detrimental effect which the proposed Public Open Space Area around Oakville Creek would undoubtedly have on farm operations.

The primary purposes of this Mini-belt north of the Southern Link to Derry Road is to provide an urban separator and preserve the agricultural character of the area. By our recommendation herein we are of the opinion that those goals are better achieved.

File Number: 400-70

Submission Number: 130

Counsel: Renzo Belleuz

Owner: Barden Investments Limited

Land (brief description): Part Lot 6, Concession 2 S.D.S.

Oakville 46.047 acres

(North of Ford Plant and Q.E.W.)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

This property is at the south-west corner of the 9th Line and Upper Middle Road and is rolling pasture intersected by hedgerows. Joshua Creek touches the lands at the north-east corner. The property was purchased for residential and industrial development and is zoned in the main Agricultural with about 2½ acres in Joshua Creek flood plain and four acres to the south end, M.2 Industrial. With servicing available through the "Iroquois Ridge Community" plan of Oakville, it was anticipated the lands would develop in residential uses of low or medium density in an integrated neighbourhood pattern. It is submitted that the Province should purchase the property for Public Open Space immediately, or exclude the lands from the Parkway Belt Plan. The company at present has been denied its rights of ownership without being relieved of the burdens such as payment of mortgage interest and taxes.

Exhibit: 321 Brief

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

It is recognized that the subject property is presently government owned, however these lands are bordered on the south by lands in

Submission 138 and on the west by those in Submission 96. Therefore in order to consider proper recommendations for Submissions 83, 96, 130, 136 and 138, it is necessary to examine the whole concept of that part of the Joshua Creek Valley Public Open Space Area lying to the north of the Queen Elizabeth Way.

We have been told that the determination of the Design Area in the Plan was the consensus of the Parkway Belt Task Force as set out in the various reports of their meetings, in this case Report No. 4 (as amended) filed as Exhibit 202. This Report shows the primary function of the Oakville-Mississauga Mini-belt as an urban separator and a corridor for highways and hydro lines, with Joshua Creek Valley Public Open Space Area shown as a possible extension of the Mini-belt, (in the words of the Report "an opportunity to add 700 acres to the Mini-belt and create a large park"), although the original objective was for Public Open Space at the Lake Ontario Shoreline. As presented to the hearing by Mr. Pogue, the Plan stresses the need for Highway links and Hydro rights-of-way, and also includes the Joshua Creek Valley Public Open Space Area.

It is the opinion of the Hearing Officers that the planning for this part of the Mini-belt is inadequate. Joshua Creek is not of sufficient significance to warrant a major public expenditure (according to evidence, many millions of dollars) as proposed by the Plan. Additionally, it has been shown that the woodlots in the area contain major growths of hawthorne trees which are totally useless in Public Open Space, and would require major expenditures to render the area fit for

public use. Also, this area is approximately five miles from the very large Bronte Creek Public Open Space Area, now under development. The creation of additional large-scale parks so close to such a major area as the Bronte Creek Park and Ontario Sports Complex should be a local responsibility.

The subject land is adjacent to a built-up urban area and some of the land has been the subject of certain agreements with the municipality for the provision of an expensive water supply system. The lands enjoyed developable zoning classifications and were purchased for development as part of the Iroquois Ridge Community, a long-range plan of the Town of Oakville.

The exclusion of these lands from the Plan would in no way offend it as regards the provision of Highway links and Hydro rights-of-way. The Highway links and Hydro lines, together with the indicated Complementary Use Areas, will still provide an adequate separator from the Queen Elizabeth Way to the Southern Link.



File Number: 400-70

Submission Number: 131

Counsel: Renzo Belleuz

Owner: Upper Fourth Limited

Land (brief description): Part Lot 7, Concession 2, N.D.S.

Oakville, Region of Halton 52.726 acres

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The owner company owned some 98.56 acres originally and the Crown has purchased the property necessary for the Hydro right-of-way leaving Upper Fourth with the remaining 52.726 acres in Complementary Use.

The company approves of the basic concepts of the Parkway Belt Plan but objects to the designation of its remaining property in Complementary Use for the following reasons:

1. The permitted uses are too restrictive.
2. The lands have no significant physical features such as tree stands or water courses.
3. Adequate separation of communities is already achieved with the proposed Highway, Hydro corridor and lands between.

The submission is that the lands be excluded or in the alternative if a buffer for the Hydro corridor is required purchase an additional 300 feet but leave the remaining lands for development.

Exhibit: 322 Brief of Solicitors

Recommendation:

That the Plan be modified by deleting the whole of the owners' property from the Design Area.



Reasons:

The design criteria used in the northern section of this link and elsewhere in the Plan, employs the Hydro right-of-way as a hard edge.

We are of the opinion that there is no justification for inclusion of this Complementary Use Area which would not further the achievement of any of the goals or objectives enunciated for this link.

File Number: 400-45

Submission Number: 132

Counsel: R.R. Elliott

Owners: Lash Brothers Farms

Land (brief description): Lot 5, Concession 3 N.S.

Milton 200 acres

Parkway Belt Sector: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The land is farmed and is intended to be a full time beef breeding operation. It was purchased in 1969 for \$215,000. The Public Open Space designation of Oakville Creek will bisect the farm and take out 60 acres of pasture and the water supply leaving about 70 acres on each side of the Creek for future farm use. The same arguments apply here as in the Martin Farm case, i.e. disruption of farming operations by severing the land with Public Open Space taking a portion of lands out of agricultural production and causing uncertainties as to the future for the farming community. The submission is to exclude the property from the Parkway Belt Plan.

Recommendation:

That the Plan be modified by changing the designation of the Public Open Space for these lands to Complementary Use.

Reasons:

This active farm is almost exactly bisected by the Oakville Creek Public Open Space designation in the Plan. Approximately 60 acres shown as Public Open Space area divide this 200 acre parcel into two approximate 70 acre remnants. If the preservation of agricultural uses and the urban separator function here are to be achieved it is our opinion that putting the whole of the property in Complementary Use designation is the proper course to be taken.

File Number: 400-66

Submission Number: 133

Counsel: Mrs. Verna E. Cuthbert-Kelly

Owners: Shipp Corporation Limited, Applewood Land Investments Limited  
and 272392 Ontario Limited

Land (brief description): West Half Lot 12, Concession 4 N.S.,  
East half Lot 12, Concession 4, N.S.,  
Lot 14, Concession 4, N.S.

Oakville (Milton Area) 900 acres ±

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6  
and Northern Link, Map 4

Summary of Submission:

The subject properties are situated on the east side of the Third Line, sometimes referred to as Thompson Road, and the study area covers some 900 acres north of Derry Road and extending to Highway 401 on the north and the Fourth Line on the east. Submissions in the form of briefs were received from the solicitors, from M. M. Dillon, from Robinson Merrett & DeVries, and Urban Engineering Consultants. The subject area is shown as Complementary Use in the Plan and only the school site and arena within the district are not subject to the regulations, the arena being expanded at the present time.

The main thrust of the submission is for exclusion of the whole area from the Plan and allowing its development in accordance with the planning and other studies made and the proposal advanced. It is argued that the boundary of the Third Line or Thompson Road is not justified for the Town of Milton which has already expanded to the west side and has built in adequate service capacity to extend easterly. The proposal is to let the boundary of the Parkway Belt be the Fourth Line to the east and Derry Road to the south so that the future urban area of Milton East (a large portion of which is owned by the Province) would not be

developed at present but could remain in agricultural use. No goals or objectives in the Plan refer to population, size, or sewage treatment capacities, nor is there any definition of a "major enlargement" of an urban area in the Toronto-Centred Region study. Exemption is requested.

Exhibits: 323 Legal Brief

324 Brief (M. M. Dillon)

325 Aerial Photo - Subject Lands

326 Representation of Alternate Plan and Overlay

327 Preliminary Community Development Plan

328 O. H. C. Land Assembly Map

329 Photos (a) (b) (c) (d)

330 Sketch of Arena Project

331 Brief and Report (DeVries)

332 Terrain Analysis Subject Lands

333 Agricultural Capability Classification Map

334 Brief - Urban Engineering Consultants

**Recommendation:**

That the Plan be modified by deleting the whole of these lands from the Design Area.

**Reasons:**

The Hearing Officers have found it necessary to deal with this submission in connection with a group of submissions, five in all, which represent a combined large area of Complementary Use lands immediately east of the built up area at Milton. The whole of this area is bordered on the south by Derry Road, on the north by Highway 401, on the east by Milton Station and the Fourth Line, and on the west by the Third Line, sometimes known as Thompson Road. It is to be noted that Map 6 within the Draft Plan is considerably outdated in its illustration of the built up area at Milton and that the aerial photographs (Exhibits 325 and 326) show

in more detail that Milton built up area which presently exists to the Third Line.

Representations made to us were similar in nature by all those owners in this area, and are set out in detail in the summary of submission above. In most cases we were advised of the development potential and in some cases the monies already expended towards that possibility. We are fully aware of government policy as enunciated by the Toronto-Centred Region Study, and note the particular statement of March 1976 (Toronto-Centred Region Program Statement) in which the Government reaffirms that concept as follows:

"In considering these events of the past five years, the Government has concluded that the basic TCR policy continues to be sound and workable, but that it should be adjusted to reflect the conditions of 1976. At this stage, the Government reaffirms its commitment to the Toronto-Centred Region concept as the basis of its policy for managing growth and development in this region, and will continue to move vigorously in putting the policy into effect."

Considering the above statement and paying particular attention to the strong representations by the owners in this area, along with the Town of Milton itself, and noting as well the urbanization presently existing west of the Third Line, together with the municipal ownership east of that road, we are of the opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

The properties if developed at all will do so under the control of the municipality, the Region, and as is always the case to some extent the Province.

The changing conditions in this area and the maintenance of the integrity of the Parkway Belt Plan as part of the Toronto-Centred Region concept have resulted in our recommendation.



File Number: 400-1

Submission Number: 134

Counsel: Terrence O'Neill and Barry A. Browning

Owner: 281990 Ontario Limited

Land (brief description): Part of Lot 3, Concession 2 S.D.S.

Oakville 74.7 acres

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject lands are located south of the Queen Elizabeth Way and are crossed by the Hydro corridor which then swings north along the property's easterly boundary, the Parkway Belt taking up some 47.3 acres of the land, part to be acquired for Hydro and the remainder in Complementary Use. There is a proposal for development of the southerly portion of the lands in residential uses in co-operation with a neighbouring land owner and the Town of Oakville. The thrust of the submission is for a realignment of the Hydro corridor which would leave a much larger portion of the lands outside the Parkway Belt Design Area and free for development. Under the alternative plan 5.3 acres would remain in Complementary Use for possible expansion of the Highway interchange in this location if necessary, and the owner submits this property as well as the Hydro right-of-way should be purchased by the Province.

The 27 acres removed from the Parkway Belt under the alternate scheme could be integrated easily with the Clearview neighbourhood of Oakville under a Secondary Plan and the consultants state that the Parkway Belt would not be compromised in any way by such a proposal. The existing zoning is M.2 Industrial and the Official Plan designation is the same except for 10 acres  $\pm$  in the north-east corner of the property designated Residential. The Parkway Belt Plan and Alternative Plan proposed are compared in detail in the Brief (Exhibit 335) respecting the Goals and Objectives of the Parkway Belt and achievement of same.

Exhibits: 335 Brief, M.M. Dillon

336 Parkway Belt Draft Plan - Subject Lands and Overlay

337 Aerial Photo of Alternate Development Plan

338 Secondary Development Draft Plan - Oakville Planning Staff

339 Preliminary Alternate Clearview Neighbourhood Secondary Plan

340 Letter dated March 1976 from Ministry of Transportation  
and Communications to the Solicitors

Recommendation:

That the Plan be modified by deleting the whole of this property from the Design Area.

Reasons:

This submission was considered in conjunction with a number of others in this Mini-belt south of proposed Highway 403. In making recommendations for the realignment of the Hydro right-of-way within the Design Area this whole section of the Mini-belt would be altered and with that alteration there would be no justification for the inclusion of these lands within the Design Area.

Reference should be made also to the Recommendations and Reasons set out in the following Submissions numbered 106, 113, 114, 150, 155, and 225.

File Number: 400-87

Submission Number: 135

Agent: William H. Shorthill

Owner: 226916 Investments Limited

Land (brief description): South-east  $\frac{1}{2}$  Lot 30, Concession 2 45.611 acres  
North Part Lot 30, Concession 2 16.337 acres  
Oakville (near Palermo Station)

Parkway Belt Sector: Southern Link, Map 3

Summary of submission:

This property is composed of two parts, the smaller of which is to the north and the larger to the south of Palermo Hydro Station. The lands are designated as Complementary Use in the Plan and being bisected by Hydro land is according to the submission, incapable of development under the Complementary Use permitted uses. The Official Plan and Zoning By-law show the property as Agricultural and it would seem that possible development is at least fifteen years away as no services are available, according to the Municipality and the Region. The submission requests the Province purchase the whole of the lands, or in the alternative, exempt it or amend the Plan to allow development in two to three acre estate-type lots for residential use. Evidently the future utilities strip does take more of the property and this will be acquired in due course.

Recommendation:

That the Plan be accepted for this property.

Reasons:

This land is being actively farmed and is designated Agricultural in the Official Plan and zoned the same and one of the main purposes of this wide band of Complementary Use here is for the preservation of the farm use. The land to the south owned by the Ontario Government

will be subject to the same control and regulations where it is within the Parkway Belt and future Highway 403 will form an adequate buffer from the built up area and a cap to urban development in Oakville in this location.

With the Ontario Housing Corporation owning lands to the south of Burnhamthorpe Road it has been indicated by the Province that there will be no pressure for urbanization within this area for many years.

In addition, in view of the subject lands being severed by the linear corridor and the Palermo Station this area would be entitled under the Complementary Use regulations to a dwelling house on each of the parcels.

File Number: 400-83

Submission Number: 136

Counsel: Joseph Markson

Owner: Nordin Investments Limited

Land (brief description): Part Lot 6, Concession 1

Oakville 10 acres

(Dundas Street and Ninth Line)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

This property is at the south-west corner of Dundas Street (Highway 5) and the Ninth Line, having frontage on Dundas of 841 feet and the Ninth Line of 586 feet, being 10 acres designated for Public Open Space in connection with the Joshua Creek Open Space Area. The submission requests the immediate purchase by the Province of the whole of the lands. Since only a portion of the land is wooded the owner fears some will be left in its ownership and the Public Open Space designation rendering it useless for any other purpose. Since however, the whole is shown dark green in the Design Area, it would seem all would be acquired in due course. The owner does not question the merits of the Plan stating it is in the public interest but wishes to be purchased and compensated now or be released from the designation.

Exhibit: 341 Brief of Solicitors

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

In order to consider proper recommendations for Submissions 83, 96, 130, 136 and 138, it is necessary to examine the whole concept of that



part of the Joshua Creek Valley Public Open Space Area lying to the north of the Queen Elizabeth Way.

We have been told that the determination of the Design Area in the Plan was the consensus of the Parkway Belt Task Force as set out in the various reports of their meetings, in this case Report No. 4 (as amended) filed as Exhibit 202. This Report shows the primary function of the Oakville-Mississauga Mini-belt as an urban separator and a corridor for highways and hydro lines, with Joshua Creek Valley Public Open Space Area shown as a possible extension of the Mini-belt, (in the words of the Report "an opportunity to add 700 acres to the Mini-belt and create a large park"), although the original objective was for Public Open Space at the Lake Ontario Shoreline. As presented to the hearing by Mr. Pogue, the Plan stresses the need for Highway links and Hydro rights-of-way, and also includes the Joshua Creek Valley Public Open Space Area.

It is the opinion of the Hearing Officers that the planning for this part of the Mini-belt is inadequate. Joshua Creek is not of sufficient significance to warrant a major public expenditure (according to evidence, many millions of dollars) as proposed by the Plan. Additionally, it has been shown that the woodlots in the area contain major growths of hawthorne trees which are totally useless in Public Open Space, and would require major expenditures to render the area fit for public use. Also, this area is approximately five miles from the very large Bronte Creek Public Open Space Area, now under development. The creation of additional large-scale parks so close to such a major area



as the Bronte Creek Park and Ontario Sports Complex should be a local responsibility.

The subject land is adjacent to a built-up urban area and some of the land has been the subject of certain agreements with the municipality for the provision of an expensive water supply system. The lands enjoyed developable zoning classifications and were purchased for development as part of the Iroquois Ridge Community, a long-range plan of the Town of Oakville.

The exclusion of these lands from the Plan would in no way offend it as regards the provision of Highway links and Hydro rights-of-way. The Highway links and Hydro lines, together with the indicated Complementary Use Areas, will still provide an adequate separator from the Queen Elizabeth Way to the Southern Link.

File Number: 400-22

Submission Number: 137

Owners: C.W. Johnson and Margaret E. Johnson

Land (brief description): Part Lots 5 and 6, Concession 2

Burlington 151.74 acres

(1761 Old Waterdown Road)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The subject property is in a Development Zone presently designated Agricultural Holding, and in the Plan is in the Complementary Use area. The owners feel that the lands are not required to fulfil the goals and objectives of the Parkway Belt Plan. They moved to the property in 1967 and have farmed a portion since that time. Its location, with some 3000 feet of frontage on Old Waterdown Road, is hidden from Highway 403 and the surrounding roads. Being part of Burlington there is no need for an Open Space Area in this location as it would achieve none of the Parkway Belt goals as expressed. The uses allowed under the Parkway Belt, Complementary Use designation are too restrictive and would make a sale of the land virtually impossible at a realistic value. The owners are concerned about the low prices offered by the Government for lands to be acquired and in their case the virtual freeze on the subject property with little chance of a sale unless the Plan is amended. It was explained by the Provincial Panel that the uses stated in the Plan were of a general nature with some examples being given but the final uses permitted would be by Burlington when the Plan was ultimately approved and in force.

Exhibit: 342 Brief of Owners

## Recommendation:

That the Plan be accepted for this property.

## Reasons:

It has been stated before that this Link contains many unique features not found elsewhere in the Plan. The Complementary Use Area of the Escarpment Link east of Highway 6 to the King Road area is large and fragmented into many separate ownerships and uses and divided here by linear facilities which criss-cross the district, e.g. transmission lines, the future utility corridor, Highway 403, C.P.R., and Grindstone Creek.

Permitted uses allow all those found in Section 5.3.3 (a)(i) to (vi) along with new residential housing to a density of one dwelling on 25 acres and an area north of Highway 403 for low density Industrial Development at 5% coverage. We recognize the merits of preserving a more open space type of use here to protect the natural features and the scenic view of the Escarpment slopes and face. Also consideration must be given to the objective of retaining agricultural uses no matter how few such uses there are in this Link.

Evidence heard would indicate that any type of reasonably intensive development may be many years in the future due to lack of services and the present designations of the Official Plan previously applicable to the area. In this case the Complementary Use designation does in fact contribute to achievement of the goals and objectives of the Plan though not in the same degree to all of them.

Protection of the Escarpment itself and the Grindstone Creek Valley has been achieved by designating those areas as Public Open Space. The Complementary Use designation on the remainder of the lands (other than the parts to be acquired for the utilities strip and other linear corridors) is in this instance in our opinion truly complementary to the overall objectives of this Link. Controls will continue to be exercised through the amendment of the Burlington Official Plan and Zoning By-Laws in conformity with the Plan in the future. We also point out that a review will be necessary under Section 14(1) of the Ontario Planning and Development Act within five years from the date of acceptance of the Plan, and should changes occur in the future potential of these lands for more intensive uses at that time representations may be made to the Minister in that connection.

We recognize the differences in the nature of this area and the Pleasantview Study Area to the west which was excluded and have accepted the Draft Plan here in recognition of those differences.

File Number: 400-20

Submission Number: 138

Counsel: A. Leibel

Owners: Samuel Sarick Limited

Graduate Holdings Limited

Anec Investments Limited

Land (brief description): Part Lot 6, Concession 2 S.D.S.

Oakville 28 acres

(North of Ford Motor Company and Q.E.W.)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The subject property extends along the north side of the North Service Road of the Queen Elizabeth Way and is bounded on the east by a Complementary Use Area in the Plan and to the west by the Mack Truck Ltd. plant. In the area to the east are located several single-family dwellings on large lots fronting on the Ninth Line. Immediately south and across the Queen Elizabeth Way is the Ford Plant. The whole of the lands are designated Public Open Space in the Parkway Belt Plan and Counsel suggests that if the property were not vacant it may not have been included (e.g. Mack Truck). The Official Plan and zoning is M.2 Medium Industrial and services are available from the west at Mack Truck. Acquisition would be a costly proposition in view of the land's potential as one of the few remaining sites on the Queen Elizabeth Way in the Toronto Area.

The property has direct access over the North Service Road to the Upper Middle Road and Trafalgar Road interchanges with the Queen Elizabeth Way. The submission suggests the designation of the subject lands for Parkway Belt Industrial Uses low-intensity, and low-profile, in nature or institutional use with large areas of green space and adequate controls on parking, open storage, etc. The property could be properly



buffered from adjoining residential development and would add to the separation effect between Oakville and Mississauga as presently provided by the Ford Plant and the adjacent Industrial Uses.

A specific provision in the Plan for these lands setting appropriate performance standards and high quality uses would in this case not in any way jeopardize the goals and objectives presently set out in the Plan. The Joshua Creek Open Space Area would be reduced by a mere 4% and these lands do not include any of the Valley or wooded slope. The Province should look at the whole of the Queen Elizabeth Way frontage between the Highway 403 connector and Royal Windsor Drive with a fresh eye and incorporate policies whereby the above alternative proposals may be incorporated into the Plan.

Exhibit: 343 Brief

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

In order to consider proper recommendations for Submissions 83, 96, 130, 136 and 138, it is necessary to examine the whole concept of that part of the Joshua Creek Valley Public Open Space Area lying to the north of the Queen Elizabeth Way.

We have been told that the determination of the Design Area in the Plan was the consensus of the Parkway Belt Task Force as set out in the various reports of their meetings, in this case Report No. 4 (as amended) filed as Exhibit 202. This Report shows the primary function of the Oakville-Mississauga Mini-belt as an urban separator and a corridor for



highways and hydro lines, with Joshua Creek Valley Public Open Space Area shown as a possible extension of the Mini-belt, (in the words of the Report "an opportunity to add 700 acres to the Mini-belt and create a large park"), although the original objective was for Public Open Space at the Lake Ontario Shoreline. As presented to the hearing by Mr. Pogue, the Plan stresses the need for Highway links and Hydro rights-of-way, and also includes the Joshua Creek Valley Public Open Space Area.

It is the opinion of the Hearing Officers that the planning for this part of the Mini-belt is inadequate. Joshua Creek is not of sufficient significance to warrant a major public expenditure (according to evidence, many millions of dollars) as proposed by the Plan. Additionally, it has been shown that the woodlots in the area contain major growths of hawthorne trees which are totally useless in Public Open Space, and would require major expenditures to render the area fit for public use. Also, this area is approximately five miles from the very large Bronte Creek Public Open Space Area, now under development. The creation of additional large-scale parks so close to such a major area as the Bronte Creek Park and Ontario Sports Complex should be a local responsibility.

The subject land is adjacent to a built-up urban area and some of the land has been the subject of certain agreements with the municipality for the provision of an expensive water supply system. The lands enjoyed developable zoning classifications and were purchased for development as part of the Iroquois Ridge Community, a long-range plan of the Town of Oakville.

The exclusion of these lands from the Plan would in no way offend the Plan as regards the provision of highway links and hydro rights-of way. The highway links and hydro lines, together with the indicated Complementary Use Areas, will provide an adequate separator from the Queen Elizabeth Way to the Southern Link.

We are of the opinion that there is no justification for the inclusion of this property which presently enjoys an M2 Medium Industrial zoning and abuts the tractor compound of Mack Truck Limited an adjoining industrial use.

Under the present designation in the Plan eventual acquisition of this very expensive industrial property would be anticipated to place the lands in Public Open Space.

The Hearing Officers feel that the Ford Company property immediately south of the Queen Elizabeth Way in this location provides a separator function between the Mississauga and Oakville urban areas, as confirmed by planning evidence received. To allow these lands to develop in the future in showcase industrial or institutional uses could add to, rather than detract from that separator function and not in any way be incompatible with the goals and objectives of the Plan for this portion of this Link.

Consideration was given to establishing a specific Parkway Industrial Use for this property within the Design Area of the Plan as has been developed in other areas, e.g. the Escarpment Link, and the Eastern Section of the Northern Link, but we are satisfied that adequate controls for the development of these lands can be exercised by the local municipality.

File Number: No File

Submission Number: 139

Agent: Bert Wolski

Owners: Adolf Wolski and Irwin Wolski

Land (brief description) : Patterson Road at Escarpment

(immediately North of Franconia Lands)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The subject property is shown in the Parkway Belt Plan as Public Open Space and was purchased by the owners in 1960 for ultimate residential use. A building permit was obtained but subsequently allowed to expire and the owners cannot now build due to Parkway Belt regulations. The land is not within the escarpment design area and there are two homes on one side of these lands and others further down the escarpment slope. The request is for permission to construct two private dwellings for the owners on the property and it is noted that a severance may be required which would not be within the Hearing Officers' jurisdiction. Of course, under the present restrictions of the Plan no building is allowed in the Public Use Area.

Exhibits: Nil

Recommendation:

That the Plan be accepted for this property.

Reasons:

This property has been designated as part of the Niagara Escarpment Public Open Space area and physically forms part of the face of the escarpment. It is intended that these lands will be taken by the Province and this Report will deal later with a recommendation regarding the staging of the acquisition of designated public lands. We are not prepared to recommend an exemption to the Regulations to permit building on this land.

File Number: 400-75

Submission Number 140

Counsel: C. T. LeBrun

Owner: Buildevco Limited

Land (brief description): Part lot 15, Concession 4 N.S. 80.175 acres  
Milton (south side of Highway 401)

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The owner is a development company for development of raw land through acquisition, planning and installation of services for building construction through its owners, Freure Homes Ltd. and Dutchmen Homes. Both companies are leaders in the industry. The lands are located east of Thompson Road, and south-west of Highway 401 in Milton. The Parkway Belt Plan designates the property Complementary Use. The land is clearly visible from Highway 401 and is bordered on the south by a well defined woodland edge. This property was designated Industrial in the Oakville Planning Area Official Plan (prior to inclusion in Milton) and zoned for light, medium and heavy industrial. It was acquired by Buildevco four days prior to the announcement of the Parkway Belt for \$680,000 in good faith for development. Officials at Milton felt that at least a portion of the property at the time of purchase was more suitable for residential development. As well, the previous owner had expended \$20,000 to oversize the trunk sanitary sewer through Phase One of the Wimpey Dorset Park development. Water is also available from Steeles Avenue at the north-west corner of the lands. The submission then traces the actions taken responding to the Parkway Belt Plan. The Parkway Belt precludes any type of development which would enable the owner to recover its initial investment and substantial carrying charges. The submission is to exempt the lands from the Parkway Belt unless it can be established that positive criteria require its inclusion and goes on to set out the development qualities of the property without impairing the Plans



goals and objectives. They totally support the Shipp et al submission.

Exhibits: 344 Brief

345 Appendix (1) to (8)

346 Appendix (9)

347 Map showing existing development

348 Map showing requested modifications

349 Aerial photo of Subject Lands

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

The Hearing Officers have found it necessary to deal with this submission in connection with a group of submissions, five in all, which represent a combined large area of Complementary Use lands immediately east of the built up area at Milton. The whole of this area is bordered on the south by Derry Road, on the north by Highway 401, on the east by Milton Station and the Fourth Line, and on the west by the Third Line, sometimes known as Thompson Road. It is to be noted that Map 6 within the Draft Plan is considerably outdated in its illustration of the built up area at Milton and that the aerial photographs (Exhibits 325 and 326) show in more detail that Milton built up area which presently exists to the Third Line.

Representations made to us were similar in nature by all those owners in this area, and are set out in detail in the summary of submission above. In most cases we were advised of the development potential and in some cases the monies already expended towards that possibility. We are fully aware of government policy as enunciated by the Toronto-Centred Region Study, and note the particular statement of March 1976 (Toronto-Centred Region Program Statement) in which the Government reaffirms that concept as follows:

"In considering these events of the past five years, the Government has concluded that the basic TCR policy continues to be sound and workable, but that it should be adjusted to reflect the conditions of 1976. At this stage, the Government reaffirms its commitment to the Toronto-Centred Region concept as the basis of its policy for managing growth and development in this region, and will continue to move vigorously in putting the policy into effect."

Considering the above statement and paying particular attention to the strong representations by the owners in this area, along with the Town of Milton itself, and noting as well the urbanization presently existing west of the Third Line, together with the municipal ownership east of that road, we are of the opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

The properties if developed at all will do so under the control of the municipality, the Region, and as is always the case to some extent the Province.

The changing conditions in this area and the maintenance of the integrity of the Parkway Belt Plan as part of the Toronto-Centred Region concept have resulted in our recommendation.



File Number: 400-89

Submission Number: 141

Counsel: John C. Risk, Q.C.

Owner: Natco Building Products Limited

Land (brief description): Part Lots 9, 10, 11, and 12

Concession 1, Township of Flamborough

Now Burlington 98.6 acres

(South of Highway 403 and Old York Road)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

This property has been used for the manufacture and sale of brick and tile since 1910. It is designated Complementary Use by the Plan with a small parcel at the south-east corner possibly in the Public Use Area. The transit option corridor is north of the CNR and south of Highway 403 and therefore does not encroach on this property. The Grindstone Creek is included in Public Use Area along with a portion of the south edge of the lands to top of bank. The zoning is M.E.95 (Manufacturing Extractive) under the relevant Burlington By-law 4000-3 as amended. No building is permitted within 200 feet of an Open Space Area.

The small six or seven acre parcel at the south-east corner of the property much below the level of the bulk of the company lands would be a natural addition to the Park in that location though there are two old houses on the parcel occupied by tenants of Natco. The Company has no objection to this inclusion and purchase by the Province.

The permitted uses for the lands as designated Complementary Use allow in effect no use whatsoever except the present manufacturing process. The land is valuable (excluding buildings \$554,000, according to appraisal figures as of 31st December, 1971) and would have appreciated since that time. The submission concludes that subject to the portion

of six to seven acres which is a logical extension to Lamb's Hollow Gate Park the whole of the property including the westerly treed and gullied area which forms a natural buffer to adjacent development should be excluded from the Plan.

Exhibits: 350 Brief of Counsel

351 Aerial Photo of the Subject Lands

Recommendation:

That the Plan be modified by including in the Public Use Area that six or seven acre parcel being at about the same level as Grindstone Creek, and by deleting the whole of the remainder of this property from the Design Area.

Reasons:

It would appear to the Hearing Officers that the only reason for inclusion of this property in the Plan was to complete an infilling situation in the Escarpment Link. We do not believe that the subject property adds anything aesthetic or utilitarian to the goals and objectives of the Plan. The tree line at the south edge of the lands provides an effective buffer from the Public Open Space in the Grindstone Creek valley. Any rehabilitation of the land in the future would be an improvement over the barren appearance as now viewed from the level to the north and the owner should be left the option of redevelopment.

File Number: 400-77

Submission Number: 142

Agent: Wayne Quinn

Owners: J.V. Holland

W.J. Holland

D. Leggat

Land (brief description): Part Lot 10, Concessions 1 and 2

Burlington 150 acres

(West of Grindstone Creek)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The property herein is divided into two parcels by the H.E.P.C., Mount Hope Transmission Line, and the future utilities 100 foot corridor in the Plan, the northerly 110 acres ± being owned by Holland and the remaining southerly 40 acres ± by Leggat.

The submission requests exemption of the lands and an application to the Minister for such is pending but not dealt with by the Municipality. It is desired to develop low density estate-type housing in a rural type environment which would complement existing residential development in the area, and the Parkway Belt Plan as well. Large lots would not require services but would add tax revenue to the City and all natural wooded areas and water courses would be preserved. The requirements for improvements of roads would be minimal and involve the provision of access only. According to the brief the area is within the Development Area and the York Settlement Area of the approved Burlington Official Plan which would permit the proposal requested. No impression of continuous urban development would be apparent if this low density type subdivision was allowed either within the Complementary Use Area or by exemption of the entire parcel from the Plan.

Exhibits: 352 Brief, Planistics

353 Future Predominant Land Use Plan, Burlington

354(a) Large photo plate

354(b) Small photo plate

**Recommendation:**

That the Plan be accepted for this property.

**Reasons:**

It has been stated before that this Link contains many unique features not found elsewhere in the Plan. The Complementary Use Area of the Escarpment Link east of Highway 6 to the King Road area is large and fragmented into many separate ownerships and uses and divided here by linear facilities which criss-cross the district, e.g. transmission lines, the future utility corridor, Highway 403, C.P.R., and Grindstone Creek.

Permitted uses allow all those found in Section 5.3.3 (a)(i) to (vi) along with new residential housing to a density of one dwelling on 25 acres and an area north of Highway 403 for low density Industrial Development at 5% coverage. We recognize the merits of preserving a more open space type of use here to protect the natural features and the scenic view of the Escarpment slopes and face. Also consideration must be given to the objective of retaining agricultural uses no matter how few such uses there are in this Link.

Evidence heard would indicate that any type of reasonably intensive development may be many years in the future due to lack of services and the present designations of the Official Plan previously applic-

able to the area. In this case the Complementary Use designation does in fact contribute to achievement of the goals and objectives of the Plan though not in the same degree to all of them.

Protection of the Escarpment itself and the Grindstone Creek Valley has been achieved by designating those areas as Public Open Space. The Complementary Use designation on the remainder of the lands (other than the parts to be acquired for the utilities strip and other linear corridors) is in this instance in our opinion truly complementary to the overall objectives of this Link. Controls will continue to be exercised through the amendment of the Burlington Official Plan and Zoning By-Laws in conformity with the Plan in the future. We also point out that a review will be necessary under Section 14(1) of the Ontario Planning and Development Act within five years from the date of acceptance of the Plan, and should changes occur in the future potential of these lands for more intensive uses at that time representations may be made to the Minister in that connection.

We recognize the differences in the nature of this area and the Pleasantview Study Area to the west which was excluded and have accepted the Draft Plan here in recognition of those differences.



File Number: 400-88

Submission Number: 143

Agent: Leslie Laking

Owner: Royal Botanical Gardens

Land (brief description): General

West portion Escarpment Link 2000 acres ±

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

All portions of the Royal Botanical Gardens' lands are included in the Parkway Belt Plan as the western anchor to the Plan. The Director feels that the Government property shown as being crossed by the Dundas Transmission Line east of Dundas Station should be used for Royal Botanical Gardens expansion and must be retained in the Parkway Belt Plan (this is Segato Farm, 60 acres ±). In other respects the Royal Botanical Gardens is fully in accord with the Plan as presented and drafted and commends the Province for the concept.

Exhibits: 355 Brief on behalf of Directors

355(a) List of Papers at back of Brief

356 Map of Arboretum Lands - Present and Future

Recommendation:

None.

Reasons:

With respect to this submission no recommendation is necessary because the Board of the Royal Botanical Gardens is in agreement with the inclusion of their lands in the Plan as designated. Regarding their request that the Segato Farm be added to the lands of the Royal Botanical Gardens, the Hearing Officers have no jurisdiction to grant this request.



File Number: 400-79

Submission Number: 144

Owner: P. McNally

Land (brief description): Part Lot 6, Concession 2 27 acres ±  
(East Flamborough), Burlington  
(South of Waterdown)

Parkway Belt Sector: Escarpment Link, Map 2

Summary of Submission:

There exists a long term and well planned residential corridor along the Waterdown Road. These areas are unsuitable for agriculture and the large lots with varying styles of dwellings give overall impression of quiet rural living. The subject property is designated Public Open Space in the Plan but is surrounded by residential development. The south boundary of the land is the top of the escarpment.

At the time of the passing of the Parkway Belt Draft Plan most of the subject property was zoned R.1 for 15,000 square foot lots. A broad strip along the escarpment was zoned O.1.A. and for very restrictive residential use on large lots.

The owner wishes eventually to develop the property in accordance with the zoning prior to the Parkway Belt Plan with a walkway along the escarpment. He requests exemption of the property in total stating that services will ultimately be readily available. The possible purchase of the land by the Province would appear to be many years in the future.

Exhibits: 357 Brief - McNally

358 Aerial Photo Site and Surrounding Area.

Recommendations:

That the Plan be accepted for this property.

Reasons:

This land is in the Public Open Space Area and may in whole or in

part be ultimately acquired by the Province. It is to be noted that we have made recommendations elsewhere in this Report with respect to the staging of Provincial acquisitions.

This property is on the top of the escarpment and its inclusion contributes to the preservation of the unique scenic features of this Link. However it should be pointed out the the Plan is subject to review within five years from the date it comes into affect under Section 14(1) of the Ontario Planning and Development Act.

File Number: 400-90

Submission Number: 145

Agent: George Vanlenthe

Owners: Jurjen Hartman and Jurrieana Hartman

Land (brief description): Part Lot 21, Concession 1

West Flamborough (Dundas) 3 acres ±

(294 York Road)

Parkway Belt Location: Escarpment Link, Map 2

Summary of submission:

The subject lands are located on the east side of York Road in the Public Open Space Area of the Plan to be ultimately acquired. The owners are near retirement age and want to dispose of their business but are restricted due to the Parkway Belt Plan. A purchaser would be prevented from expanding without approval and the threat of acquisition devalues the business property.

The request is that the lands be exempted from the Plan or in the alternative the restrictions on expansion be removed so a purchaser could expand and expect a reasonable time before acquisition to continue the commercial use. Otherwise the Province should immediately purchase the property at market value in accordance with financial statements.

It is suggested by the Provincial staff that an application might be made under the Advance Purchase Distress Program in this instance.

Exhibit: 359 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

The location of this particular property justifies its inclusion in the Public Open Space Area. These lands will be acquired by the Province

and recommendations have been made elsewhere in this Report as to the staging of such acquisition.

File Number: 400-93

Submission Number: 146

Owner: F. Bulow

Land (brief description): Part Lot 2, Concession 3, S.D.S.

Oakville 7.1 acres

(south side Royal Windsor Drive)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The owner's submission is that the nursery garden centre use of the land is no longer appropriate for this built-up area with Narco Construction adjoining to the west and an automobile dealership nearby to the east. The present zoning is M.2. Medium Industrial and the Official Plan designation Industrial.

The Provincial staff explain that though the lands are shown in the Plan as Complementary Use in fact the property was exempted from the land use control area by Ontario Regulation 637/73 and Gazetted on 11th October, 1973. Accordingly the Oakville zoning presently applies and the land can be sold or developed in accordance with its Industrial classification. The northerly 600 feet of Lot 2 were covered by the exemption and accordingly the owner appears to have received what he asks at this time.

Exhibit: Nil

Recommendation:

None.

Reasons:

Ontario Regulation 637/73 has exempted the property in accordance with the owner's request.

File Number: 400-94

Submission Number: 147

Counsel: D. J. Moll, Counsel

Owner: Howard A. Orr

Land (brief description): Part Lot 1, Concession 3, S.D.S. 38.5 acres  
Oakville (west side of Winston Churchill  
Boulevard - north of Hydro site)

Parkway Belt Location: Oakville Mississauga Mini-belt, Map 7

Summary of Submission:

The subject property is located in Oakville on the west side of Winston Churchill Boulevard and bordered on the north by a railway spur line and on the south by Sheridan Nurseries. On the west is the existing 300 foot Hydro right-of-way and the property across the road in Mississauga is vacant and unaffected by the Parkway Belt.

Owing to the nature of the land and lowering of the water table in the area, it has become impractical for the owner to continue using the lands for fruit growing. In 1973, the property was rezoned M.1 by Oakville for Industrial Use. In the present Complementary Use designation in the Parkway Belt Plan the lands are unsuitable for any uses permitted. The existence of the railway spur and the nature of surrounding development make it ideal for Industrial uses as have occurred to the north. The Hydro corridor to the rear of the property should form the hard edge of the Parkway Belt in this location. The Orr property is an integral part of the Industrial Area to the north and this was recognized by Oakville in its rezoning of the land. There is now no agricultural value in the acreage and the family is suffering undue hardship by its inclusion in the Parkway Belt Complementary Use Area.



A sale of the lands was being negotiated prior to the Parkway Belt Plan and a value was established at about \$30,000 per acre. The submission requests that the property be excluded from the Parkway Belt Plan.

Exhibit: 360 Brief of Solicitors

Recommendation:

That the Plan be modified by deleting the property from the Design Area.

Reasons:

These lands presently enjoy M.1 Industrial zoning.

The above summary indicates its suitability for Industrial uses owing to surrounding development, the railway spur and the existence of the Hydro right-of-way to the rear of the lands.

There is no justification for their inclusion in the Plan as they do not form a separator function or in our opinion further any other of the goals and objectives.

Elsewhere in this Report General comment and recommendations are made on this section of the link south of Royal Windsor Drive.

File Number: 400-96

Submission Number: 148

Owner: Alfons Kalns

Land (brief description): Part Lot 21, Concession 2, N.D.S.

Oakville 10.330 acres

(Oakville Creek Public Open Space Area at  
future Dorval Way)

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

This property was purchased in 1967 and it is stated that lands in the area have since deteriorated with public uses, clearing of trees, dumping and vandalism. A large public area as envisioned here in this Public Open Space designation will be difficult to maintain and control. If land is not immediately purchased owners may abandon their holdings. The best persons capable of keeping the property secure and cleared of weeds and refuse are the owners themselves. The owner wished advance purchase by the Province but price could not be negotiated before the lack of Government funds prevented the completion of the deal. He now wants exemption from the Parkway Belt or permission to build one dwelling house on the lands for his personal use and retain the property. The future Dorval Way may encroach in this location.

Exhibit: 361 Correspondence with various Ministries and others

Recommendation:

That the Plan be accepted for this property.

Reasons:

The Hearing Officers are much concerned about submissions such as this from a small land owner who has publicly stated his wish and intention if permitted to beautify his land for the visual benefit of adjoining Public Open Space areas. To place the property in Complementary Use might well jeopardize his position with respect to acquisi-

tion if the municipality refused him a building permit and of course the Hearing Officers have no control or authority to compel such.

Accordingly it is the strong recommendation of the panel that this property be given the highest priority for public purchase. We deal with General recommendations as to the staging of acquisition elsewhere in this Report.

File Number: 400-95

Submission Number: 149

Agent: W.J. Schneller

Owners: W.J. Schneller Enterprises Ltd., and  
Willis Management Ltd.

Land (brief description): Part Lot 20, Concession 2

West Flamborough 6 acres

(Dundas)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

Only a small portion of the property on Rock Chapel Road is included in the Parkway Belt Plan. Prior to the issuance of the 1973 Draft Plan the lands were not included in the Parkway Belt. Now about six acres are affected since the Plan was expanded about 300 feet to protect the brow of the escarpment in this location. There is a proposed 331 lot subdivision on the 92 acres and the owners wish to build two houses on the lands in the Parkway Belt which is shown as Complementary Use Area. The owners cannot see how the Parkway Belt Plan would be jeopardized by excluding this small portion of property from the Plan and they wish exemption from the regulations or exclusion of the whole of their property.

Exhibit: 362 Letter RE: Proposed Subdivision Plan

Recommendation:

That the Plan be accepted for this property.

Reasons:

The evidence showed that these owners propose a major residential subdivision in this area and we believe the six acres are necessary within the Plan for the preservation of the Creek Valley and protection of the face of the escarpment. It is to be pointed out also that the Hearing Officers have no jurisdiction as to recommendation for services.

File Number: 400-32

Submission Number: 150

Counsel: Joseph Sorbara

Owner: N.H.D. Developments Limited

Land (brief description): Part Lot 4, Concession 2 S.D.S.

Oakville 89.335 acres

(South side Service Road and Q.E.W.,  
east of Ford Drive)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The lands herein are bisected by the proposed Hydro Transmission Line and classified for Complementary Use in the Parkway Belt. They are zoned Industrial by Oakville and there is a 20 acre woodlot at the south end of the property which is long and narrow with an irregular north boundary at the South Service Road of the Queen Elizabeth Way. The submission contains several proposals particularly set out as follows:

- (1) N.H.D. supports the proposal of the Cadillac Fairview Corporation (Submission 106) in the relocation of the Hydro right-of-way which would exclude the N.H.D. property in its entirety, and make Hydro the easterly hard edge of the Parkway Belt.
- (2) The proposal of Ford Motor Company would shift the Hydro corridor to the east side of Ford Drive and take the westerly 275 feet of N.H.D. property and the Company supports this proposal as well, if in fact the remainder of the lands were excluded.
- (3) In the alternative if the Hydro corridor remains as presently planned, exempt the company's property south of the line and allow it to develop with adjoining property to the east, the Province should then purchase the remaining northerly portion as it would be landlocked owing to the proposed Highway Interchange at the

Queen Elizabeth Way and the one-foot reserve along the flankage on Ford Drive.

- (4) N.H.D. supports the proposal of 281990 Ontario Limited where the Hydro line would be relocated further to the north but still cross the property on a sharper angle. The south portion could then be excluded and the northerly area purchased as in (3) above.
- (5) Purchase the whole of the property as it is presently sterilized in the Complementary Use designation of the Plan.

Exhibit: 363 Brief of Solicitors

Recommendation:

That the Plan be modified by the relocation of the Hydro right-of-way on the westerly boundary of these lands in accordance with the proposal of the Ford Motor Company (Submission 155), and by deleting the remainder of the property to the east from the Design Area.

Reasons:

The inclusion of the Company's land would not further the separator functions of the Belt in this location. With the realignment of the Hydro right-of-way as accepted in Submission 155 (Ford of Canada) that right-of-way will form the easterly hard edge in this location. In accordance with our recommendation this land will be allowed to develop in compliance with the municipality's future plans for this area.

Reference should also be made to the Recommendations and Reasons as set out in detail in the following Submissions numbered 106, 113, 114, 134, 155, and 225.



File Number: 400-106

Submission Number: 151

Owner: A.W. Thomas

Land (brief description): Part Lot 9, Concession 3

East Flamborough 47.26 acres

Waterdown

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The subject lands front on Highway 5 just west of the built-up area of Waterdown and some 30 acres more-or-less are in the Parkway Belt Design Area and shown as Public Open Space. Part of the property is zoned Residential R.1, and part O.1.A. Open Space. The portion out of the Design Area is Residential and the remainder Open Space Area is so designated to protect the brow of the escarpment. The owner submits that the whole of the lands should be excluded in that water service is available and sewers will be installed across the frontage in 1978. The owner indicates that the Bruce Trail is very seldom used by the public in this area and if the Province wants the lands it should acquire the same now at market value rather than what he calls sacrifice prices some time in the future. The property has been owned by the Thomas' since 1964 and he now wishes to be exempted in order to develop the land in residential uses.

The Provincial staff states that the lands will likely be acquired but the scheduling for such is uncertain.

Exhibit: 364 Brief and Survey

Recommendation:

That the Plan be accepted for this property.

Reasons:

Scenically the Escarpment Link is unique and special care must be taken to protect its beautiful natural features. These lands are to

be acquired by the Province and it is hoped with the General recommendations as to the staging of acquisition contained elsewhere in this Report any hardship to the owner will be minimized.

File Number: 400-99

Submission Number: 152

Counsel: M.J. McQuaid

Owners: Jovic Developments Ltd. et al

Land (brief description): (1) Lot 17, Concession 1, N.D.S. 182 acres

(2) North  $\frac{1}{2}$  Lot 15, Concession 1, N.D.S.

104 acres

(3) Lot 11, Concession 1, N.D.S. 201 acres

Burlington

(All fronting on No. 1 Sideroad)

Parkway Belt Location: Escarpment Link, Map 2

#### Summary of Submission:

The owners purchased all three parcels of land in the late 1960's at prices between \$1,800 and \$3,000 per acre as a land bank for future development. The sanitary sewers in Burlington extend north to Upper Middle Road and have been oversized to accomodate flows from a large area to the north and such program considers the alignment of Highway 403 and the servicing of land to the north. Storm drainage starts at the escarpment and flows south and south-east across the drainage area. The vast majority of the subject property is in the Complementary Use Area and the remainder will in due course be acquired by the Province. About one third of Lot 11 is outside the Plan.

The submission recommends a time-staged program for acquisition of those lands required by the Province. Further, the permitted uses in the Complementary Use Area do not reflect the following points:

- (1) A developer cannot develop economically considering the value of lands banked by it for the future.
- (2) Complementary Use control programs do not reflect municipal thinking on those developable areas north of Highway 5.

(3) Complementary Use provisions in the Plan do not reflect usual land designations. This Plan is like a Provincial Official Plan and local official plans will conform in due course. The designation therefore in Complementary Use Area is unique in that only the Province can determine what uses will occur.

The submission recommends that the uses in the Complementary Use Areas reflect the investment and planning that has gone into the properties or else the Province must acquire the lands.

Exhibits: 365 Burlington Trunk Sewer Plan X-13 (Sanitary)

366 Burlington Sewer Plan

367 Drawing Map 407 - Highway 5 and North showing area to be serviced

Recommendation:

That the Plan be accepted for this property.

Reasons:

The staging of acquisitions by the Province will be dealt with in the General Recommendations elsewhere in this Report.

At the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban Service Area has its northern boundary at proposed Highway 403. Although there was an indication given that long range planning would provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

File Number: 400-111

Submission Number: 153

Counsel: Joseph R. Rocchi

Owner: Ann Middleton

Land (brief description): Part Lot 8, Plan 836, Dundas  
(West of Highway 6, North of Utilities Strip)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The subject property is some 400 feet deep but about half of the lot is made up of a ravine. The Parkway Belt Plan shows the future utilities strip passing through the property and the residential dwelling itself.

The submission is that the utilities strip should be realigned through vacant lands so that the premises herein may be left thereby saving the owner considerable hardship and the Province additional cost in the purchase. Since the whole of the property would be needed the staff suggests the owner apply for purchase under the Advance Purchase Distress Program

Exhibits: 368 Brief by way of letter from Solicitors

369 Survey of Lands

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of the owner's lands now designated as Complementary Use.

Reasons:

This property forms a part of the whole Pleasantview Study Area. In deleting the Complementary Use designation, the Hearing Officers recognize that the future utility strip in its present alignment (and no recommendation has been made for a change) will result in a situation where the Province will ultimately acquire the whole of the lands. Reference should also be made to our General recommendation elsewhere in this Report.



File Number: 400-104

Submission Number: 154

Owner: J.L. McGuire

Land (brief description): Part Lot 10, Concession 3

Township of Flamborough 43 acres

Waterdown

(West on Highway 5)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The owner purchased the subject property in 1940 and originally held some 83 acres, developing the Rockcliffe survey just west of Waterdown on the south side of Highway 5 in 1948. In 1955 he further developed five/six acres and the top and face of the escarpment are now fully subdivided. The remainder of 43 acres was in farm use to be developed when municipal water is available. Now farming is not viable and the lands are dormant. The Conservation Authority considered a purchase of the same in 1970 at \$2,500 per acre but the deal was not consummated through 1972. Subsequent to the Parkway Belt Plan in 1973, the proposed purchase was shelved.

The submission now requests that the lands be excluded from the Parkway Belt Plan for ultimate sale or development. Water is now available and the owner wishes to build one house and subdivide the remainder of the lands into 1 acre estate-type lots leaving certain property some two/three acres for the use of the Bruce Trail. The Provincial staff states that the lands are on the fringe of the proposed settlement area in the relevant Official Plan and were included in the Parkway Belt to preserve the face and slopes of the escarpment.

Exhibit: 370 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

Scenically the Escarpment Link is unique and special care must be taken to protect its beautiful natural features. These lands are to be acquired by the Province and it is hoped with the general recommendations as to the staging of acquisition contained elsewhere in this Report any hardship to the owner will be minimized.

File Number: 400-55

Submission Number: 155

Counsel: Mrs. Elizabeth McNaughton

Owner: Ford of Canada

Land (brief Description): Part Lots 5 and 6, Concession 2, S.D.S.  
Oakville 500+ acres

Parkway Belt Location: Oakville - Mississauga Mini-belt, Map 7

Summary of Submission:

The Company's lands are affected by the Parkway Belt on the east side, in part to be used for the Hydro right-of-way and part in Complementary Use. This area amounts to some 80 acres and Ford is concerned about the effect on the Company's ability to utilize its site to the best of its advantage.

Rather than requesting total exemption of the lands alternative proposals are presented in the very detailed Brief (Exhibit 371) to amend the Parkway Belt Plan to recognize the present and future needs of this large industrial site. A brief history of development of the site is set out and future expansion plans explained showing the development of the Oakville complex as a continuing program. The primary thrust of this expansion will be to the north-east portion of the lands and the Parkway Belt would significantly limit such Company plans.

The Brief fully sets forth the impact of the Parkway Belt Plan upon the five areas of the Ford site as shown on the accompanying Map as follows:

1. Provision must be made for a new access road to Area No. II connecting the Central Office Building to Ford Drive.
2. Expanded Complementary Uses for example maximum lot coverage of 25% and not exceeding 30 feet in height for building expansion, be implemented in Area No. II as have been incorporated in certain other parts of the Parkway Belt (e.g. Kraft Food).

3. Similarly expand the uses for the wooded area shown as Area No. III on the map though there are no immediate plans for this part of the property and Ford recognizes the value of protecting Joshua Creek.
4. Realign the Hydro Line as shown on Map 5 which it is shown will be technically and economically feasible in Area No. IV. Exclude this Area No. IV from the Parkway Belt.
5. The Plan does not appear to disclose strong environmental or planning reasons for inclusion or Area No. V, and the request is for its exclusion.

Exhibit: 371 Brief of Ford

372 Aerial Photo of Ford Site

Recommendation:

That the Plan be modified by realigning the Hydro right-of-way as shown coloured blue on exhibit # 372, and by deleting the balance of the lands of the Company from the Design Area.

Reasons:

It is the opinion of the Hearing Officers that this establishment by its physical nature already forms a well defined urban separator.

This highly consumer-oriented company has a major impact on the Canadian economy and should be allowed to carry out its plans for expansion in the manner consistent with its past performance under existing municipal legislation.

There would therefore appear to be no justification for the inclusion of any portion of these lands in the Plan.

File Number: 500-6

Submission Number: 156

Counsel: W.R. Hitch

Group: Langstaff Community Association

Land (brief description): Highway 7 area, Yonge Street to Bayview Avenue  
Langstaff

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This was the most extensive submission made during the course of the hearing, both in time and the number of witnesses heard. A unique situation is involved here, the Parkway Belt Plan affecting as it does a whole community due to the alignment of linear facilities through a built-up area south of existing Highway 7.

The Langstaff Community of some 223 residents includes a wide spectrum of interests ranging through industrial, commercial, and residential uses and all combinations thereof, and employing over 800 people. Outside storage facilities are allowed for industry and flourishing trailer and mobile home and camper type retail sales operations are based here. Many businesses are of a home occupation type and small industrial malls have been constructed for the benefit of new and old small businesses.

The Hearing Officers were impressed with the courteous manner in which the many residents presented their evidence, it being clear that much anxiety and fear had been generated from the time of the imposition of the Parkway Belt Plan in 1973, through many meetings, to the date of the hearing itself.

The whole basis of the submission was for the relocation of the Parkway Belt linear facilities to bypass this stable and closely-knit community



and allow it to continue to exist in its present form. Alternative routes were evidently studied in detail by the Provincial staff in co-operation with the Community Association and at the instigation of the Treasurer. Any such alternative outside the Design Area could not be considered however, owing to the Chadwill Coal decision.

- Exhibits:
- 375 Aerial Photo Alternate Routes
  - 376 Copy of Conditions of Appraisals
  - 377 Study of Area and Press Release
  - 378 Qualifications of Dowson
  - 379 Brief of Conroy Dowson
  - 380 14 Photographs
  - 381 15 Photographs
  - 382 Map
  - 383 Minutes of Markham Council, 13th January, 1976
  - 384 Copy of Draft Official Plan, Markham
  - 385 Authorization
  - 385(a) Resolution of Association
  - 448 Argument, Hitch
  - 449 Lardner Brief

Recommendation:

That the Plan be modified by deleting from the Design Area the whole of the lands bordered on the west by Yonge Street, on the north by the north limit of the road allowance for old Highway 7 (now known as Langstaff Road), on the east by Bayview Avenue, and on the south by Holy Cross Cemetery.



Reasons:

The location of linear facilities for Hydro and the utility strip in this area affects both the goals and objectives of the Parkway Belt Plan as enunciated and in particular without limiting the generality of the foregoing, Section 2.1 and 3.5.

The unique character of this community as set out in the summary above would be totally disrupted and from a social and economic standpoint the alignment of the Parkway Belt in this area is totally unacceptable. It was suggested that transmission lines and utilities be placed underground and on the evidence it is our opinion that to recommend such is beyond our competence from a technical and cost standpoint.

The Draft Plan as proposed has no support from the two affected municipalities in the area, Richmond Hill and Markham.

The cloud of uncertainty imposed on the community and the probable high cost of acquisition of lands by the proposed alignment of linear facilities in the Draft Plan is so severe as to be out of all proportion to the public benefit that might be derived from locating the Belt in this area.

We were advised that alternative plans were proposed for the realignment of the linear facilities in this area at the instigation of the Honourable the Treasurer, which alignments might well be satisfactory to those in the community and the area. Owing to the Chadwill Coal decision we were unable to hear representations in respect to any alignment outside of the Design Area or make recommendations therein and have not done so.

Our recommendation in exclusion of the community takes into consideration that the Hydro and utilities alignment are removed from the Plan in this area, and that a further study and Plan amendment would be necessary to relocate these facilities so that the community integrity might be maintained.

File Number: 500-45

Submission Number: 157

Agent: Dr. Charles T. Bolton

Owner: University of Toronto, David Dunlap Observatory

Land (brief description): Observatory Property

(former Langstaff Jail Farm)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

It is pointed out to the representative for the Observatory that the Hearing Officers have no jurisdiction as to hearing representations to include lands in the Parkway Belt which are out of the Design Area (Chadwill Coal case). The concern here is for the protection of the integrity of the Parkway Belt Plan should the Langstaff Community Area be excluded and the protection of the lands of the Observatory so it may be retained by the University of Toronto.

Exhibits: Nil

Recommendation:

None

Reasons:

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 500-58

Submission Number: 158

Owner: Amos Baker

Land (brief description): Sugar Bush 80 acres

(Bathurst at Langstaff Road)

Parkway Belt Sector: Northern Link, Map 5

Summary of Submission:

The Sugar Bush which is the subject of the submission has been properly managed and protected by the Baker family for many years and is shown in the Plan as Public Open Space. The submission is to allow the family to continue its possession and control and not allow the valuable and unique wooded area to be publicly overrun and damaged. The family is satisfied to have the Bush designated in the Parkway Belt Plan but do not want to lose control of it leading to its destruction. Perhaps a special form of Complementary Use Area would be more appropriate.

Exhibits: 386 Brief

387 Letter of W.D. McKeough dated 25th August, 1976

Recommendation:

That the Plan be modified by changing the designation of the whole of these lands from Future Public Open Space to Complementary Use.

Reasons:

It appears that there is no justification for designating the subject property for Future Public Use. The evidence through both the owner's submission and that of the municipality is that this is a most unique and valuable sugar bush.

The Baker family has in the past and intends in the future to properly manage this acreage in its existing uses. Both the owner and the Town are satisfied to include the lands within the Plan but to prevent possible future damage or public encroachment in this special area we are of the opinion the Complementary Use designation is proper.

File Number: 500-15

Submission Number: 159

Counsel: Markus Cohen

Owner: Continental Kitchens Ltd.

Land (brief description): Part Lot 9, Concession 4

Markham 5 acres

(Brown's Corner)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is on the east side of Woodbine Avenue immediately south of the Industrial and Commercial area of Brown's Corners which is excluded from the Parkway Belt Plan. The Company purchased the property in 1974 with knowledge of the Parkway Belt Plan but hoping for exclusion or exemption from the regulations due to the suitability of the site for a cabinet plant for the Company's manufacturing operation. The land presently has two old tenant-occupied dwellings thereon.

The alternative submission is:

1. Reduce the Design Area of the Plan to exclude the property.
2. Exclude all lands on the east side of Woodbine Avenue north of the road, 585 feet south of the present Parkway Belt boundary.
3. Expand the uses in the Complementary Use Area here to allow this Industrial Use.

Exhibit: 388 Brief of Solicitors

Recommendation:

That the Plan be modified by deleting the subject lands from the Design Area.

Reasons:

This is part of the same area involved in Submission 194 and is covered in that recommendation and reasons.

File Number: 500-51

Submission Number: 160

Owner: A. Norman Swanson

Land (brief description): Part Lot 5, Concession 3

Markham 17.371 acres

(Leslie Street as extended north)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

These lands are part of a small island of property bounded by the CNR to the south, the extension of the Don Valley Parkway to the east, 14th Avenue to the north, and the Leslie Street extension on the west. The property was purchased in 1969 for commercial purposes and is isolated from any farming community.

The submission requests that a Complementary Industrial Use be allowed in this instance as would attract major high quality industrial uses, such as seen on the Queen Elizabeth Way or in the alternative a limited number of housing units be allowed with a parkette adjoining the Creek on the property. The financial hardships of the Parkway Belt designation as Complementary Use are pointed out.

Exhibits: 389 Brief

389(a) Addendum to Brief

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

It was necessary in dealing with this area to consider three individual submissions together. The property in these submissions lies east of the proposed Leslie Street (Don Mills Road) extension, and in view of the Town of Markham submission and the Official Plan urban residential designation on the lands, the whole area south of the Hydro right-of-way



and west of Highway 404 as proposed to the Leslie extension, gave us considerable concern.

Immediately south of the Parkway Belt where the CNR forms the edge there is an existing subdivision of quality homes abutting the Highway 404 right-of-way. Immediately east of Highway 404 and within the Complementary Use Area of the Belt north of the CNR a special area has been set aside by the Plan for Complementary Industrial uses as set out in Section 6.4.3(i)(ii).

In our opinion, and taking into consideration our recommendations for the lands west of the Leslie extension, there is no justification for the inclusion of these lands within the Design Area as Complementary Use. Elsewhere in this Report General recommendations are made with respect to this area south of the proposed Hydro alignment.

File Number: 500-59

Submission Number: 161

Agent: Harrie Wertheim

Owner: Rickenbacher Investments Limited

Land (brief description): Part Lot 5, Concession 3

Markham 18 acres ±

(north of CNR Leslie Street)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The subject property will be adversely affected from the standpoint of access by proposed Highway 404 cutting off 14th Avenue. The land forms a small island isolated by Leslie Street, the CNR, proposed Highway 404, and 14th Avenue. The land area is too small to be economically farmed and the soil unsuitable for market gardening. The property was formerly designated for residential use by Markham in its Official Plan. Screening was planned by the owner so the site could be developed. The submission requests exclusion of the land or that the uses in the Complementary Use area be expanded to allow residential development.

Exhibit: 390 Brief of Owner (Letter dated 8th September, 1976)

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

It was necessary in dealing with this area to consider three individual submissions together. The property in these submissions lies east of the proposed Leslie Street (Don Mills Road) extension, and in view of the Town of Markham submission and the Official Plan urban residential designation on the lands, the whole area south of the Hydro right-of-way and west of Highway 404 as proposed to the Leslie extension, gave us considerable concern.

Immediately south of the Parkway Belt where the CNR forms the edge there is an existing subdivision of quality homes abutting the Highway 404 right-of-way. Immediately east of Highway 404 and within the Complementary Use Area of the Belt north of the CNR a special area has been set aside by the Plan for Complementary Industrial uses as set out in Section 6.4.3(i)(ii).

In our opinion, and taking into consideration our recommendations for the lands west of the Leslie extension, there is no justification for the inclusion of these lands within the Design Area as Complementary Use. Elsewhere in this Report General recommendations are made with respect to this area south of the proposed Hydro alignment.

File Number: 500-14

Submission Number: 162

Counsel: R. J. Swayze

Owner: Village in the Valley Limited

Land (brief description): Part Lots 8 and 9 Concession 6

Markham 110 acres

(East Kennedy Road, West of McCowan)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This developer proposes that the north limit of the Parkway Belt be moved to about 350 feet south of Helen Avenue a built-up street running easterly from Kennedy Road. This would free the houses on Helen Avenue and lands to the north for further residential development, the lots on Helen being very deep (up to 1,000 feet). The property is relatively flat and featureless with no significant tree growth. There are presently some 156 dwellings in the area south of Highway 7 not including commercial or ancillary structures. This area is compared by the solicitor with the built-up portion of Brown's corners which is excluded from the Plan. A witness appearing on behalf of many of the Helen Avenue residents agrees with the developer's proposal for deletion of the property from the Plan and to develop. This submission reviews the goals and objectives of the Draft Plan and attempts to establish that such would not be compromised in any way by the deletion of this area and the resulting subdivision of it. It is stated that the width of the Belt would be adequate with the north limit shifted southerly as proposed. The submission further suggests that the site owned by the Company on McCowan Road be allowed to develop within the Parkway Belt Plan as a sports complex forming a part of an extension to the Milne Conservation Area at Markham.

Exhibits: 391 Map of South-east Quadrant Unionville  
392 Roll of Photos, Kennedy Road

Recommendation:

That the Plan be accepted for these lands.

Reasons:

In addition to providing linear facilities the Plan in this location performs an urban separator function. Future possible development of the lands in this submission appears to be some considerable time in the future taking into consideration the draft Official Plan and the lack of municipal services.

Lands to the south of Highway 7 and outside the Design Area are not slated for development until 1988 and beyond. Any proposal for uses on this property that may be complementary to the goals and objectives of the Plan would be premature at this time and may be better dealt with under the review provisions of the Ontario Planning and Development Act, Section 14 (1).

We are fully aware of our recommendations with respect to Submission 170 (Rexnord) on the west side of Kennedy Road which in our opinion does not reduce the separator function in this area or compromise the Plan.

Elsewhere in this Report we have made General recommendations relating to permitted uses in Complementary Use Areas.

We have accepted the Plan as it relates to that portion of the owner's lands immediately north of the Highway 407 alignment and fronting on McCowan Road in that no detailed design criteria has yet been established for the Highway 407 right-of-way or its possible interchange with that road.



File Number: 500-53

Submission Number: 163

Agent: Tom Januszewski, Planning Director

Group: Town of Markham

Land (brief description): General

(Highway 404 Easterly to Markham)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The Town generally endorses the concepts of the Parkway Belt Plan but is concerned with the way in which it is proposed to be implemented. The submission (Exhibit 394) addresses itself to the effect of the Plan on the new Draft Official Plan of Markham as well as the rights of individuals and municipalities. Markham has some 5120 acres of land located within the Belt. Oversizing of sewers would provide for much development which would have occurred on lands now inside the limits of the Plan and the Town will therefore suffer financially with respect to monies already expended and the potential tax revenue lost owing to the restriction on development now imposed by the Province. There are, as well, many acres of Industrial land the development of which will be lost to the Town due to its present Parkway Belt designation (e.g. 129 acres in the Langstaff Area and 135 acres south of Unionville). Almost two-thirds of the Town's area is now affected by some restrictive measure relating to the Parkway Belt, Pickering Airport Plan, etc. The brief also addresses itself to compensation in a general way for loss of development rights to those relying on the Town's former Official Plan designation as to lands now within the Parkway Belt. It is further suggested that unconditional grants to municipalities should be increased where the loss of tax revenue is established as a result of the Provincial regulations. There is a detailed list of specific area recommendations which follows and council recommends:

(1) The areas below be excluded from the Parkway Belt.

- the entire Langstaff community
- Phase IV area of Thornhill
- the Brown's Corners Industrial Area

(2) Low coverage industrial uses in the Complementary Area should be extended in selected locations.

(3) The Province should acquire the air rights over the small cemetery at McCowan Road and make every effort to preserve the sizeable tree stand near Bayview Avenue and Highway 7.

The brief then specifically elaborates on the above three submissions. Any reference to the inclusion of areas outside the Design Area of the Plan were deleted.

Exhibit: 394 Brief of Town

395 Resolution of Council adopting

396 Resolution of Council 14th October, 1975

Recommendation:

None

Reasons:

This very detailed submission has been referred to numerous times by the Hearing Officers in preparing both specific and General recommendations.

In making recommendations on individual submissions within the Town it will be noted that many of the recommendations here have been followed in whole or in part. Similarly, General recommendations relating to the Plan have been made with this particular municipal submission in mind.

Certain items were beyond the jurisdiction of the Hearing Officers to consider and no comment has been made with respect to these. In other respects the Town generally endorses the Plan. Reference with report to this submission should also be made to the recommendations and reasons set out in submissions numbered 156, 165, 170, 194 and others.

File Number: 500-12

Submission Number: 164

Counsel: John T. Morin

Owner: Leitch Transport Limited

Land (brief description): Part Lots 8, 9, 10, Concession 2  
and Part Lot 9, Concession 3  
Markham 458 acres  
(Bayview and Highway 7)

Parkway Belt Sector: Northern Link, Map 5

Summary of submission:

The Company is the owner of this large acreage in Markham known as "Leitchcroft". The holding is substantially affected by the Parkway Belt Plan, 252 acres being in the Complementary Use Area, 65 acres for Highway 407, 8 acres for 100 foot future utilities, 30 acres for the 500kv Hydro line, 62 acres in Public Use, and 41 acres previously removed from the Belt and slated for residential uses in accordance with the Markham Official Plan. The property is zoned Agriculture and is used for farming and related purposes including the boarding and breeding of horses and a riding school.

The Company submits that:

1. The general concept of the Parkway Belt is ill-conceived and unfair, and its lowering and freezing of land values amounts to expropriation without compensation.
2. The Legislation may, and Government policy does, contemplate grossly inadequate compensation in actual expropriations as the Parkway Belt Legislation itself is considered relevant in determining values of land within the Belt.
3. The permitted uses in the Complementary Use Area are unduly restrictive compared to other lands elsewhere in the Belt under the

same designation and those uses should be extended.

4. The area designated "E" in the Brief (Exhibit 397) for residential purposes consisting of 17 acres should be removed from the Parkway Belt.

The submission then details a proposal for the basis for compensation, the extension of the use restrictions, and the reasoning behind the request for exclusion of the parcel "E" for residential purposes.

Exhibits: 397 Brief of Solicitors

398 Aerial Photo of Subject Lands

Recommendation:

That the Plan be modified by deleting from the text specific policy Section 6.4.3(h).

That the Plan be further modified by deleting from the Design Area, that portion of the owner's land composed of some 17 acres marked as area "E" in Figure 1 of Exhibit 347.

Reasons:

This extensive farm related operation is unique to the area.

The Draft Plan specifically refers to this particular property, restricting the Complementary Uses thereon and it is our opinion that there is no justification for such a restriction as applicable to this area.

None of the goals and objectives of the Plan are in our view compromised by our recommendation and in fact this operation remaining as it does in Complementary Use within the Plan provides the usual open space character so often referred to as a major objective. The deletion of

the owner's lands in area "E" from the Plan should not prejudice the redesign of linear facilities necessitated by our recommendation in Submission 156 (Langstaff).



File Number: 500-28

Submission Number: 165

Counsel: R.K. Webb, Q.C.

Owner: Schickedanz Developments Limited

Land (brief description): Lots 6 and 7, Concession 2

Markham 100 acres ±

(west of Leslie Street and east of Bayview  
Avenue and German Mills Creek)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The main thrust of the submission directs itself to the justification of the Parkway Belt Plan as required by the Legislation and counsel states that the Plan itself is not adequate justification for the scheme and with respect to the subject property the only evidence led is in support of modification of the Plan and exclusion of these lands. The Town of Markham's brief and recommendations supports development in this area and unless an overriding justification for inclusion is established by the Province the wishes of the Municipality and in this case, as well the developer, should prevail. The Don Valley Parkway extension in this location is the logical westerly hard edge of the Belt here as the German Mills Creek is adequately protected by the Conservation Authority regulations and dedication of Valley lands would be required of the owner when development took place.

This creek valley should be treated by the Province the same way as the West Don and excluded from the Plan. The Metropolitan Toronto and Region Conservation Authority plans and regulations have been passed and are in force in this area. Services including schools are readily available if residential development is proceeded with. The Parkway Belt goals and objectives would not be jeopardized by the exclusion of

the subject land from the Plan. Nor will the development and operation of the multi-purpose transportation, communication, and utility corridor be adversely affected. With the support of Markham and the Region and the shortage of residential housing units, this site with the potential of 900 dwelling units should be subdivided.

Exhibits: 399 Brief, Marshall Macklin & Monaghan

400 Schickedanz Statement in form of Brief

401 Markham Submission dated 20th November, 1973

402 Witness' Qualifications

406 Survey Subject Property

407 Report No. II of the Parkway Belt Task Force dated  
25th January, 1972

Recommendation:

That the Plan be modified by deleting the lands of the owner south and west of the Hydro corridor from the Design Area.

Reasons:

This submission is one of several in the German Mills Creek Area, all of which submissions were considered together. These lands form part of an area which the municipality had planned to develop in residential housing, for which services have been provided and are designated urban residential in the Official Plan.

We are of the opinion that there is no justification for the inclusion of these and other adjacent properties in the Plan as the German Mills Creek Valley can be adequately protected through local control and the Conservation Authority.

Lands to the west of the Creek Valley have been and are being developed, and the subject property is a logical extension to that residential area. The Hydro right-of-way to the north will form a more easily recognized southerly hard edge to the Parkway Belt in this location. It has not been established to our satisfaction that any viable agricultural uses could be carried on economically in this area and to leave the property in Complementary Use would constitute a waste of existing municipal services and development potential.

Our recommendation herein is supported by the Municipality and the Region of York. The Parkway Belt goals and objectives would not in our view be compromised as a result of this recommendation.

File Number: 500-29

Submission Number: 166

Agent: Brian Bailey

Group: The Boyle Group

Land (brief description): Langstaff Area 100 acres ±

(north-west corner of Yonge Street and Highway 7)

Richmond Hill

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This group of property owners on the north side of Highway 7 west of Yonge Street in the Langstaff Area are concerned about the Provincial acquisition of certain homes for the ultimate widening of Highway 407 and its interchange with Yonge Street. The subdivision is mature and contains well kept modern houses of good quality. None of the residents wish to be included within the Design Area of the Parkway Belt or that for Highway 407. An alternate design for this Highway and Interchange was presented and filed (Exhibit 405) not including that portion east of Yonge Street.

Exhibits: 403 Brief

404 Map of subdivision with addresses

405 Map of Alternate Design Route (Highway 407)

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of Registered Plan 3450 (the Boyle subdivision) presently included in the Draft Plan.

Reasons:

In view of our recommendation with respect to the Langstaff Community (Submission 156), it is the opinion of the Hearing Officers that a restudy of the alignment of linear facilities in this area must be

conducted, therefore the above recommendations may allow the necessary flexibility to permit the existing housing here to remain.

File Number: 500-26

Submission Number: 167

Counsel: Charles B. Cohen

Owner: Double "K" Farms Ltd.

Land (brief description): Part Lot 9 Concession 5 Markham 149 acres  
(East of Warden Avenue, South Highway 7)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The subject property is all shown in the Plan as Complementary Use and fronts on Warden Avenue and back3 on the CNR. The property was acquired in 1958 for ultimate development. It is agriculturally zoned and the Markham Official Plan designates it Agricultural and Rural. The owner's concern is that in the Complementary Use Area it must retain the property in agricultural greenbelt type use without any compensation for loss of potential development rights notwithstanding the existing zoning. Those owners within the Parkway Belt whose lands are not acquired will carry the land inventory of the Parkway Belt without compensation. The submission states that such a scheme is contrary to the principles of natural justice and the Common Law of Ontario. The brief requests exclusion of the whole of the lands from the Parkway Belt Design Area. In the alternative compensation should be paid by the Province for the owner's loss in value as a result of the Complementary Use designation on the property. Otherwise the Province should buy it now at Market Value.

Exhibit: 408 Brief

#### Recommendation:

That the Plan be accepted for this property.



Reasons:

At the present time this land is being used agriculturally and is designated Agriculture and Rural in the Official Plan. It is also zoned agricultural.

The Central York Sewer scheme could eventually traverse the subject lands but this could still be some time off.

In our opinion the lack of servicing precludes any imminent development of this property and at any rate the Planning and Development Act provides for a five-year review of the Plan.

Recommendations of a General nature as to compensation are contained elsewhere in this Report.

File Number: 500-30

Submission Number: 168

Agent: Father Robert Clune, Executive Director, and Secretary  
Treasurer of the Board of Directors

Owner: Toronto Catholic Cemetery Association

Land (brief description): Part Lots 34 and 35, Concession 1  
Markham 150 acres  
(Holy Cross Cemetery, Langstaff)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The Association is concerned about the future expropriation or acquisition of approximately 35 acres of Cemetery property at the north-east corner of its lands at Langstaff for the purposes of the 500kv Hydro right-of-way. The submission requests modification of the Plan to prevent the loss of some 60,000 or more burial sites in this cemetery. The brief history of the Association's acquisitions and the difficulties with such follows in the brief with the request that the Hydro corridor be moved northerly to miss the cemetery property. The Province suggests that even if Hydro crosses the cemetery land negotiations could be conducted so that towers might be placed so that lines only overhang the property.

Exhibit: 409 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

In view of our recommendation with respect to Submission 156, and the recommended realignment of the Hydro and utilities corridor in this general area, there would be no justification in including this cemetery property within the Design Area.

Counsel: Patrick DiMonte

Owner: S. Radavanovitch

Fiorino DeAngelis

D. Marjanovic

Giovanni DeAngelis

M Petrovic

Urbano Capellucci

S. Stojanovich

Land (brief description): Part of various lots, Plan 2607

Rockwell Area 20 acres ±

north of Highway 7, east of Bayview Avenue

Richmond Hill

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The residents herein own property in the Rockwell area which is north of Highway 7 and in fact presently outside the Design Area of the Parkway Belt. It is their submission that Highway 7 forms a proper northerly limit to the Belt and they support the limit here as they feel the areas north of Highway 7 should be allowed to develop residentially and commercially.

Exhibit: 410 Brief by way of Solicitor's Letter in File

Recommendation:

None.

Reasons:

These lands are located outside the Design Area and the submission by the owners is one of general support to the Parkway Belt Plan.

File Number: 500-31

Submission Number: 170

Counsel: N. Jane Pepino

Owner: Rexnord (Canada) Limited

Land (brief description): Part Lots 8 and 9 Concession 5

Markham 31.5 acres

(South of Unionville Fairways Golf Course)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The subject land is located on the west side of Kennedy Road and is presently zoned Residential by a holding By-Law. The Official Plan designates the land Industrial and the Parkway Belt places it in Complementary Use. The Company wishes to develop this Industrial site and has the full co-operation of the Municipality. The submission requests that the permitted uses in the Complementary Use area be expanded to allow such a use or that the north limit of the Parkway Belt here be placed south of the Rexnord land. If the Province feels the property may be required for future unforeseen uses it should buy the land now. Counsel suggests the Regulations could be amended to allow the Industrial use without compromising the goals and objectives of the Plan in this area. The Rouge River Valley is already protected by the various regulations of the Conservation Authority and it would seem the only reason for the width of the Parkway Belt here is to include that Valley.

Exhibits: 411 Planning Staff Report, Markham (2nd March, 1976)

412 Council Resolution Certified Copy, Markham (2nd March, 1976)

Recommendation:

That the Plan be modified by including this land within the specific policy of Section 6. 4. 3. (i) i.e. special industrial development use to be permitted within the Complementary Use Area.

Reasons:

This particular property enjoys a designation under the existing Official Plan and proposed new Official Plan for industrial uses. The property is unique in that a long standing committment has been made by the municipality for such use and the Town of Markham supports this recommendation.

In the opinion of the Hearing Officers the goals and objectives of the Plan would not be compromised by allowing industrial development to the extent as set out in Section 6.4.3. (i).

File Number: 500-32

Submission Number: 171

Agent: John Ward

Owner: Ward Brothers Motors Limited

Land (brief description): Lot 12 Concession 6 Plan 2196 1 acre  
Markham (East side of Kennedy Road)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This automobile dealership is on the east side of Kennedy Road south of Helen Avenue in the Complementary Use Area of the Plan. The lands could be affected by the future Interchange of Highway 407 and Kennedy Road, although this is uncertain at present. The owner is concerned with the possibility of future acquisition in whole or in part and the resultant difficulty of a sale or expansion of the premises. It is the present uncertainty of the situation that most disturbs this owner.

Exhibit: 413 Brief

Recommendation:

That the Plan be accepted for these lands.

Reasons:

No detailed design criteria has been established for the exact location of the Highway 407 right-of-way immediately south of this property or its possible interchange with Kennedy Road. Elsewhere in this Report General recommendations have been made with respect to the staging of acquisition of lands required for public purposes.



The existing use of this property can continue within the Complementary Use Area of the Plan and any change in such or proposed expansion may be the subject of an application for amendment to the Regulations.

The subject property could as well be affected by any municipal recommendations or proposals for the diversion or relocation of the Kennedy Road alignment in this area.

File Number: 500-40

Submission Number: 172

Owner: John M. Baird

Land (brief description): Part Lot 8 Concession 7

Markham 26 acres

(fronting West side of Highway 48)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is presently designated and zoned Agricultural and shown in Complementary Use in the Plan being located immediately south of the Milne Conservation Area in Markham on the west side of Highway 48.

The owner is concerned about the restrictive uses in the Complementary Use Area and wishes to apply for construction of a Senior Citizens Housing development on the site. If land is required by the Province he is prepared to negotiate a sale.

Some of the property may be needed for the Highway 407/48 Interchange in the future but this is undetermined now. The existing access to the land is difficult. The owner requests exemption from the Plan so that some development can occur thereon.

Exhibit: 414 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

This property is at the extreme easterly end of the Parkway Belt West. While it is known that the Province proposes to extend the Parkway Belt east from Highway 48 there has as yet been no public presentation for such an extension, so that one can only conclude that the location to the east is still unsettled.

The evidence at the Hearing indicated that the design of the future interchange for Highway 407/48 is still uncertain. For these reasons it is recommended that the subject lands be left as now designated.

It is also to be pointed out that under Section 14 (1) of the Ontario Planning and Development Act provision is made for a 5 year review of the Plan.

File Number: 500-38

Submission Number: 173

Counsel: S.D. Borins, Q.C.

Owners: S.D. Borins, Q.C.

H. Friedman

Land (brief description): Part of south  $\frac{1}{2}$  of Lot 3, Concession 5

Vaughan 55.9 acres

(Highway 400 at future Highway 407)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The subject land was acquired in 1954 for ultimate Industrial development. It is designated Agricultural and zoned in a holding category. In the Plan the property is partly required for the Highway 400/407 interchange, the remainder being in Complementary Use sandwiched between Highway 407 and the Hydro right-of-way with Highway 400 to the west and Beechwood Cemetery on the east. The small acreage remaining after the cloverleaf is built will not form a viable agricultural unit and in this location could not be residential. The owner requests amendment of the Plan to allow Industrial uses here, or in the alternative the Province should purchase the whole of the lands now at market value.

Exhibits: 415 Sketch of Subject Lands

416 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

The Parkway Belt in this location defines the northern limits of the Metropolitan Toronto Urban Area. A large portion of this property will be required by the Province for the proposed Highway 407/400 interchange.

The owners' remnant parcel presently in agricultural use and so designated in the Official Plan will perform the urban separator function in this location and will virtually be surrounded by Government owned lands. Elsewhere in this Report the Hearing Officers have made General recommendations with respect to permitted uses in Complementary Use Areas.

File Number: 500-34

Submission Number: 174

Agent: Gary Grant

Owner: Poolworld Incorporated I.L.D. Nurseries Limited

Land (brief description): Lot 1 Plan 2196 Markham 4.15 acres  
(East side of Kennedy Road)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property was purchased by its present owners in 1970 and zoned Rural Residential. A small nursery operation was located thereon and the business was expanded to pool landscaping and now pool sales forms 90% of the business. Expansion has included the construction of both permanent and temporary structures.

The owner wishes to further develop the property but mortgage money in the amount required is not available due to the property's Complementary Use designation in the Plan. The submission is that the permitted uses in the Plan be expanded to allow further development and the requisite financing necessary.

Exhibit: Nil

Recommendation:

That the Plan be accepted for this property.

Reasons:

The subject property is presently a well-expanded non-conforming use in this area. The Complementary Use designation does not prevent the continued operation.



Elsewhere in this Report General recommendations have been made concerning the permitted uses in Complementary Use Areas.

File Number: 500-39

Submission Number: 175

Counsel: Miss L.C. Brown

Owner: S.B. McLaughlin Associates Limited

Land (brief description): Part Lot 5, Concession 2 E.Y.S.

Markham 27 acres

(east of German Mills Creek)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is designated for Public Open Space in the German Mills Creek Area north of John Street in Markham (Thornhill) adjacent to residential uses to the west of the Valley. Certain lands here were exempted from the Belt west of German Mills Creek. The subject property is tableland and very suitable for residential development if excluded from the Public Open Space designation. It is the submission that the tablelands should be excluded from the Plan and allowed to develop in that any requirement for a staging node in this area or access to the Open Space in the Creek Valley can be otherwise accommodated on the Valley lands themselves. It is also unfair to release the tablelands west of the Creek leaving these for public use. The Town of Markham is in support of this position being that the land west of Leslie Street and its extension should be released. The suggestion is made that if the surrounding property is developed the German Mills Creek Open Space Area will become useful to the public at an earlier date.

Exhibits: 417 Brief, Weir, Foulds

418 Brief, Underwood McLellan, Consulting Engineers & Planners

419 Enlarged Reproduction of Draft Markham Official Plan

420 Plan of S.B. McLaughlin

**Recommendation:**

That the Plan be modified by deleting the whole of these lands from the Design Area.

**Reasons:**

This submission is one of several in the German Mills Creek Area, all of which submissions were considered together. These lands form part of an area which the municipality had planned to develop in residential housing, for which services have been provided and are designated urban residential in the Official Plan.

We are of the opinion that there is no justification for the inclusion of these and other adjacent properties in the Plan as the German Mills Creek Valley can be adequately protected through local control and the Conservation Authority.

Lands to the west of the Creek Valley have been and are being developed, and the subject property is a logical extension to that residential area. The Hydro right-of-way to the north will form a more easily recognized southerly hard edge to the Parkway Belt in this location. It has not been established to our satisfaction that any viable agricultural uses could be carried on economically in this area and to leave the property in Complementary Use would constitute a waste of existing municipal services and development potential.

Our recommendation herein is supported by the Municipality and the Region of York. The Parkway Belt goals and objectives would not in our view be compromised as a result of this recommendation.

File Number: 500-42

Submission Number: 176

Agent: W.J. Power, Director of Planning

Group: Town of Richmond Hill

Land (brief description): General

(Bathurst Street to Bayview Avenue)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The Municipality supports the goals and objectives of the Parkway Belt Plan provided that a sound program for implementation be adopted removing the anxiety and uncertainty of property owners and that the basic goals and concept not be compromised, and individual owners be fairly compensated through negotiation or mediation. The submission makes five main points for consideration of the Hearing Officers and details these as they relate to the Parkway Belt Plan itself.

1. The Town conditionally supports the goals of the Parkway Belt System as set out above.
2. The Town supports the Bathurst Street area extension to the Parkway Belt (i.e. the East Don River Public Open Space Area).
3. The Town requests that a Commission investigate the need for proposed Highway 407 and if it is deemed necessary the final design should avoid established neighbourhoods west and north of Highway 7 at Yonge Street (Boyle Group) and north and east of the Bayview Intersection (Rockwell Area).
4. The Province make every effort to inform the general public and particularly affected property owners on methods of acquisition and proposed timing thereof. The Brief then directs itself to the payment of fair compensation based on market value.
5. The Town urges that the Hydro Link between Bathurst Street and Bayview Avenue be placed underground. In this location above ground

towers and lines are completely incompatible with the area and in fact would compromise the Plan in its promotion of the least detrimental affects possible on existing communities.

Exhibit: 421 Brief of Planning Department

Recommendation:

None

Reasons:

The submission is one of general support to the goals of the Parkway Belt and in other respects relates to specific areas of concern.

Elsewhere in this Report both in recommendations on individual submissions (e.g. Langstaff, Submission 156), and in General recommendations, answers to the Town's specific enquiries have been made.

File Number: 500-36

Submission Number: 177

Counsel: R.R. Elliott

K. Fukuda

Owner: North Sheridan Holdings

Land (brief description): Part Lot 6, Concession 2

Markham 22.70 acres

(German Mills Creek Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The subject property is made up of some ten acres within the Valley area of German Mills Creek and eleven acres of tableland. The lands are designated Urban Residential and Major Open Space in the Markham Official Plan and zoned Agriculture and floodplain. The York Durham servicing scheme will provide sanitary sewer service and a water feeder main is nearby. There is considerable development in the immediate area and the Complementary Use designation of the tablelands in the Parkway Belt Plan prevents the economic development of this property. Evidence of an agronomist established that agricultural uses are not viable at all here. The Complementary Use concept as established in the Plan has led to poor planning and must weaken the credibility of the whole Plan. The permitted uses are unrealistic considering the amount of land in the Complementary Use designation and the competition between owners for those limited uses. No regard has been shown to the differing characteristics of the various properties in the Complementary Use Areas and their locations. The submission is that:

1. Delete the entire area from the Parkway Belt Plan (the Conservation Authority Regulations will protect the water course and valley lands).



2. Delete the tableland from the Complementary Use designation and exclude it from the Plan to allow development in the normal course under the regulations of the municipality.
3. Expand the permitted uses in the Complementary Use designation to permit residential development here (e.g. estate lots).

Exhibits: 422 Brief Urban Engineering Consultants

423 Map Subject Land and surrounding area

514 Agricultural Appraisal

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

This submission is one of several in the German Mills Creek Area, all of which submissions were considered together. These lands form part of an area which the municipality had planned to develop in residential housing, for which services have been provided and are designated urban residential in the Official Plan.

We are of the opinion that there is no justification for the inclusion of these and other adjacent properties in the Plan as the German Mills Creek Valley can be adequately protected through local control and the Conservation Authority.

Lands to the west of the Creek Valley have been and are being developed, and the subject property is a logical extension to that residential area. The Hydro right-of-way to the north will form a more easily recognized southerly hard edge to the Parkway Belt in this

location. It has not been established to our satisfaction that any viable agricultural uses could be carried on economically in this area and to leave the property in Complementary Use would constitute a waste of existing municipal services and development potential.

Our recommendation herein is supported by the Municipality and the Region of York. The Parkway Belt goals and objectives would not in our view be compromised as a result of this recommendation.

File Number: 500-35

Submission Number: 178

Counsel: R.W. Macaulay, Q.C.

Owners: Bond Street Investments Ltd.

Jan-Sil Properties Ltd.

Cathru Corporation Ltd.

Land (brief description): Part of Lots 33 and 34, Concession 1

Town of Vaughan 174.9 acres

(Uplands Golf Course 124 acres)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The submission herein divides the property into four parcels, A to D inclusive, all as shown in Maps one and two in the Brief (Exhibit 424). Parcel A is used as Uplands Golf Course and Parcels B, C, and D are currently in agricultural production except for a woodlot on part of B. The Parkway Belt Plan would take almost the whole of the Jan-Sil property (Parcels B and C) for the Hydro right-of-way and future utilities strip. A small north-west corner of the golf course (Parcel A) would also be acquired which would eliminate 2 or 3 of the greens. Parcel D does not appear to be affected by the Plan though a strip on the east end is included in the Regulations and Planning Area but not in the Design Area. The Plan contemplates the retention of the golf course as "Private Open Space".

The Brief sets out the following recommendations after a review of the implications and effects of the Parkway Belt Plan:

1. With respect to Parcel C, confirm the Plan as indicated thereby releasing the triangular portion of land in the south-east corner permitting it to develop, OR acquire the whole of the parcel if precise acquisition requirements cannot be now determined.

2. Remove from Parcel D the Regulations imposed on the 200 foot strip thereby exempting the whole of the lands from the Plan.

3. With respect to Parcel A delete it from the Plan, except the small north-west corner for Hydro, providing adequate assurances that the valley lands will remain in some form of public ownership as open space.

Parcel B would be acquired in the normal course for Hydro in its entirety as shown.

Exhibits: 424 Brief, Montague Pound and Associates

Recommendation:

That the Plan be modified by deleting the whole of the land of the owners from the Design Area.

Reasons:

In Submission 198 it was recommended that the 500kv right-of-way and utility strip be relocated northerly and such realignment would not now require the land of the owner in this submission, the south limit of that alignment now appearing to be the north limit of Lot 34.

The Parkway Belt here includes to the north the proposed East Don River Public Open Space Area and none of the goals and objectives would be jeopardized by the slight narrowing in width by realignment of the linear facilities.

Considerable concern has been expressed as to the designation of golf courses in the Plan as Private Open Space and shown as well, as Future Public Open Space. This golf course has a residential designation in the Official Plan and the zoning is temporary open space.

While we recognize the position of golf course owners within the Plan as contributing to the open space concept there appears to be an inconsistency in this area with the exclusion of Glen Shields, Willowdale, and much closer Royal Downs course, but the inclusion of the Bond Street Uplands Golf Course.

Our recommendation herein recognizes the protection of the East Don River Valley through this area both north and south of the linear facilities as was evident in the owners' own submission.

To the north that river valley will be protected by the ultimate acquisition of the Public Open Space on the west side of the valley. It is the opinion of the Hearing Officers that similar protection would be afforded the creek through the Uplands Golf Course by the continued use and maintenance of these lands for golf course purposes, or in any development by way of subdivision of the tablelands wherein the valley may well then be acquired at no Government expense. A specific policy of the Plan 6.4.3(j) is to encourage the continued operation of golf courses. It is to be noted that there will be no ultimate public acquisition of the West Don River Valley through the Glen Shields or Willowdale Golf Course under the Plan, and similarly no protection is provided by the Plan for the East Don River Valley through the existing Toronto Ladies Golf Club east of Yonge Street.



File Number: 500-46

Submission Number: 179

Counsel: Mrs. E.L. McNaughton

Owner: The Toronto Star Ltd.

Land (brief description): Part Lots 2, 3, and 4, Concession 5

Town of Vaughan

(Highways 400 and 407)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

A large portion of this substantial acreage will be acquired by the Province for the Highway 400/407 interchange and the Hydro and future utilities corridors. The Star is mainly concerned with the ultimate development of the lands remaining and designated in the Plan for Complementary Use. This amounts to some 43 acres. The Company would have sufficient land area within the Parkway Belt to expand and support additional industrial development without sacrificing the open space appearance of the property. They request that such expansion be allowed within the Complementary Use designation in harmony with the major interchange contemplated and the Hydro facility shown. The request is for 25% coverage on 43 acres.

Exhibit: 425 Brief

Recommendation:

That the Plan be modified by amending the text to provide a specific policy which would permit on those lands remaining to the owner after the acquisition of linear facilities, industrial development having a maximum lot coverage of 25%.

Reasons:

There is an existing Toronto Star plant on a portion of the property and the company's lands have been designated for industrial use in the Municipality's Official Plan.



The Province will be requiring a large portion of the Company's present ownership for the future Highway 407/400 interchange and for the 500kv Hydro line and utility strip.

The Hearing Officers see no justification for restricting the permitted use on the Company's remaining lands which will be Complementary Use within the Plan.

File Number: 500-25

Submission Number: 180

Counsel: A. Leibel

Owner: Richmond Glen Developments Ltd.

Land (brief description): Part Lot 39, Concession 1

Richmond Hill 40.789 acres

(north end East Don Open Space Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The submission herein concerns itself with a 1.53 acre parcel of tableland on Bathurst Street which is within the Parkway Belt Public Open Space Area. There appears to be several viable alternatives for development of the parcel without in any way compromising the goals and objectives of the Parkway Belt Plan. Such would be consistent with development in the surrounding area and particularly the amendment granted the Tri-Bell property just to the south. The submission requests exemption from the Parkway Belt of this small tableland property.

Exhibits: 426 Brief

427 Plan of Subdivision

428 Amendment to Regulations 431/76

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of the tableland of the owner fronting on Bathurst Street presently designated Public Open Space Area composed of 1.53 acres as shown in Exhibit 427.

Reasons:

There appears to be no justification for inclusion within the Public Open Space Area of this small isolated portion of tableland fronting on Bathurst Street. Regulations respecting the land immediately to the south have been amended by the Minister (Regulation 431/76) to permit

that owner some development rights. While the owner of the subject lands would accept a similar amendment we are of the opinion that in dealing solely with the Plan itself the above recommendation is the only recourse open to us.

File Number: 500-64

Submission Number: 181

Agent: Metro Kopansky

Owner: Sylmatt Holdings Limited

Land (brief description): Part Lot 9 Concession 5

Markham 5 acres

(South of Unionville Fairways Golf Course)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

These lands were purchased by the company in early 1974 after the Parkway Belt legislation. An application for amendment to the land use regulations was made by the predecessor in title and allowed topsoil storage and mixing on the subject property. The Official Plan designates the land Industrial and it is zoned rural residential (R.R.1.). This property on the west side of Kennedy Road is within the Complementary Use Area of the Plan. The owner wished to be allowed Industrial uses to provide for parking of equipment, storage and similar purposes. The lands are immediately north of Rexnord and the owner wants the same type of use and designation provided to that Company's land.

Exhibit: Nil

Recommendation:

That the Plan be accepted for these lands.

Reasons:

An amendment was made to the Parkway Belt Regulations allowing the existing uses to continue on this property within the Complementary Use Area. Though the lands of Rexnord (Submission No. 170) have been dealt with by us in a different manner there appears to be no commitment by the municipality for industrial uses on this property and we feel it would be premature to apply such uses in this recommendation.

The owner is not jeopardized in continuing his present operation and if the character of the area changes in the future there is provision in the Plan for a review at the end of the five year period from acceptance under Section 14 (1) of the Ontario Planning and Development Act.

File Number: 500-41

Submission Number: 182

Counsel: A. Leibel

Owners: Miller Paving Limited

The Markham Sand & Gravel Limited

West Markham Industrial Estates Ltd.

Land (brief description): Lots 5-7, Concessions 3 and 4

Markham 409 acres

(Don Mills Golf Course and Pits)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The lands of the Miller Group are used for a variety of purposes. The largest central property is predominantly Industrial and includes the main gravel pit presently being phased out, works yard storage area (the only location in Markham allowing open storage), and stockpiling of clean fill along with a solid waste temporary storage transfer point. West Markham Industrial Estates to the east of Woodbine and south of Miller Paving are largely vacant or in agricultural uses with a woodlot of some significance on the south boundary at the CNR line. To the west of Woodbine Avenue is the 95 acre golf course which is really a holding type of land use.

The brief reviews the historical background of the area, the municipal planning objectives and the effect of the Parkway Belt Plan and its goals and objectives with which the owners in the main agree.

The thrust of the submission is for an alternative development plan which would utilize the holdings for solid waste disposal and ultimately implement a regional recreational facility developed by the Miller Group and eventually turned over the Public at no cost. A Government purchase



of the property could be prohibitive from a cost standpoint and development costs would be expensive. Section 6.4.3(i)(ii) in the Plan recognizes the continuation of Industrial uses in the area west of Woodbine and south of 14th Street by allowing infilling. Miller's development concept as shown in the Brief (Exhibit 429) would be a preferred option to the designation of the property as now set out in the Plan. Controlled development should be allowed on certain of the land, and the landfill operation proceeded with resulting in an ultimate complex more in keeping with the goals and objectives of the Parkway Belt Plan at no expense to the Municipality or the Province.

Exhibits: 429 Development Concept

430 Brief

Recommendation: (Part of Lot 6, Concession 6, Leslie Street)

That the Plan be modified by deleting this parcel of land from the Design Area.

Reasons:

This is an isolated parcel of land on Leslie Street and was considered by the Hearing Officers in conjunction with immediately surrounding lands.

This land lies in an area designated by the municipality as urban residential. The municipality and the Region support the eventual development of this area in accordance with the Official Plan. A minor part of these lands may necessarily be acquired by the municipality for the re-location of Leslie Street as proposed in the new Markham Official Plan.

Recommendation: (Part of Lot 5, Concession 4, South of 14th Avenue)  
That the Plan be modified by including this land within the specific policy of Section 6.4.3(i), i.e. special industrial development use to be permitted within the Complementary Use Area.

Reasons:

These lands presently enjoy a special industrial zoning including outside storage, and are comparable in character to the lands adjoining to the south and the west as shown on Exhibit 524, and this recommendation would allow the same uses which in our opinion would not jeopardize the goals and objectives of the Plan.

Recommendation: (the balance of the owners lands)

That the Plan be modified by changing the designation from Future Public Open Space to Complementary Use save and except those areas to be acquired by Ontario Hydro for Hydro purposes.

Reasons:

This area involves the balance of the owner's lands including the pond with its surrounding land and the golf course on the west side of Woodbine Avenue.

It is the opinion of the Hearing Officers that the change in use proposed would better facilitate the proposal made by the owner as stated in Exhibit 430 if, as, and when Provincial and municipal approvals are granted.

We believe the scheme while at the present time a bit premature might well be worthy of further consideration and study by the Province and

municipality in the light of the public good. The goals and objectives of the Parkway Belt would not be adversely affected and if the proposal were implemented by private enterprise there would be no need for public acquisition at great cost.

File Number: 500-47

Submission Number: 183

Agent: Susan Stoner

Group: Ward 3 Ratepayers,  
Richmond Hill

Land (brief description): General

Highway 7 north to Markham Road and Yonge  
Street to Highway 404

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The main area of concern to this Group is between Yonge Street and Bayview Avenue. The Group is in agreement with the Parkway Belt concept and its goals and objectives. Its concern is that the area referred to represents a basic service corridor only and the Parkway Belt is narrow here made up of the Highway 407, Hydro, and utilities corridors. There appears to be little land for future flexibility and this is the basic problem considering the rapid development of Metropolitan Toronto to the south and the basic rural character of Richmond Hill as separated to the north.

Exhibit: 431 Brief, Letter dated 25th September, 1976

Recommendation:

None.

Reasons:

This is a statement of general support of the Parkway Belt goals. The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 500-60

Submission Number: 184

Owners: Mr. and Mrs. A.G. Laing,  
124 Westwood Lane,  
Thornhill

Land (brief description): Lot P27, Concession 1  
Plan No. 3659  
Vaughan 1 acre ±  
(at East Don River)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This owner's concern is with respect to the boundary line of the Public Open Space Area at the East Don River in Richmond Hill. The line should be adjusted a minimum of 50 feet to the west as it affects Lot P27 and the line should be similarly adjusted for adjoining properties in this scenic area. There also should be proper fencing installed with access gates for the protection, security and convenience of the various owners. Consideration must be given in each case to the topography, location of accessory buildings, landscaping, and the existing septic tank fields. The actual boundary at this time is flexible in the concept of the Plan.

Exhibit: 432 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This submission along with four others in this general high quality residential area requested the Hearing Officers to redefine the Design Area boundary of the Public Open Space to the rear of the property. On

the evidence it has been demonstrated to the Hearing Officers that all the owners in this area have maintained the open space character and aesthetic appearance of the rear yards to the benefit of the creek valley.

Since the Design Area boundary in this location is uncertain, considerable anxiety has been caused to these owners as to the ultimate acquisition for public purposes of some portion of the rear of their lands. They are also concerned with the security by fencing or otherwise of the portion of these properties that will be left out of the Plan. It is the opinion of the Hearing Officers that there is no justification for the inclusion of this property or the neighbouring lands to accomplish the goals and objectives of the Plan. Land to the south and west of this area has already been purchased by the Province and in accordance with the Plan additional property will be acquired sufficient for the use of the public in this district.



File Number: 500-49

Submission Number: 185

Agent: D.J. Donesky

Land (brief description): Langstaff Jail Farm

Lots 36-39, Concession 1

Richmond Hill

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This interested citizen allegedly represented himself to be concerned with the Parkway Belt as affecting or not affecting the Langstaff Jail Farm. Advised that he could not make representations concerning lands outside the Design Area he expressed his concern for the adequate protection of the Langstaff Community and proper compensation for those to be acquired. In other respects he felt the greenbelt concept to be a good idea.

Recommendation:

None.

Reasons:

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 500-20

Submission Number: 186

Counsel: Stanley Stein

Owners: Keele-Steeles Development Company Limited  
Shaddock Company Limited

Land (brief description): Part Lot 1, Concession 4  
Vaughan 105 acres  
(north of York University)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is designated Industrial in the Official Plan for the area and zoned M1 and M2, since 1961. It is suitable for development of prestige industrial facilities and the northern portion has been shown as required for the Hydro right-of-way, that part fronting on Steeles Avenue being outside the Design Area. The submission is that the siting of the Hydro Line is visually and aesthetically incompatible with the intensive development of York University campus to the south of Steeles Avenue. The owners have worked with York University to develop a Complementary Industrial Use on the subject land. The Parkway Belt boundary should not be extended south of the CNR line in this location. They want a re-study of the alignment of Hydro so it can be placed north to avoid the property.

Exhibits: 433 Brief, Letter dated 27th September, 1976

434 Letter York University dated 17th May, 1976

Recommendation:

That the Plan be accepted for this property.

Reasons:

We are of the opinion that the Parkway Belt proposal is the only viable alternative for the location of the 500kv Hydro line and the 100 foot future utility strip based on the constraints imposed by existing development to the north.

File Number: 500-13

Submission Number: 187

Counsel: R.J. Patton

Owner: Thornhill Country Club

Land (brief description): Part Lots 31, 32, and 33, Concession 1

Town of Vaughan 140 acres

(Thornhill Golf Course)

Parkway Belt Location: Northern Link, Map 5

Summary of submission:

A problem is raised in this submission concerning the designation of the Golf Course as both Private Open Space and Future Public Open Space in the Plan. This situation should be clarified as there would appear to be no intent on the part of the Province to acquire the land. Neither is it clear in Public or Private Use Areas as to what expansion to existing uses may be allowed. The suggestion is that such a policy should be in the Plan. This club wishes to continue the present uses for golf, curling, and other recreation in perpetuity just as it is now operating, there being no intent to develop or sell the lands.

The submission recommends;

1. The lands subject to 2 be entirely excluded from the Parkway Belt Plan.
2. The East Don River Valley lands may be included as Complementary Use provided the Club be consulted as to the precise boundaries and a specific policy is included in the Plan that no public acquisition will occur provided the uses remain as part of the golf course.
3. In the alternative the Club should be permitted to expand its golf and other recreational activities without application to, or approvals by, any Provincial Government Authority.

Exhibit: 435 Brief

Recommendation:

That the Plan be modified by deleting the whole of the owner's land from the Design Area.

Reasons:

By our recommendation in Submission 178, lands immediately to the north and abutting the property would be excluded from the Plan leaving the subject property isolated from the Belt.

The same reasons for exclusion here apply and in particular relating to the protection of the East Don River Valley.

File Number: 500-52

Submission Number: 188

Agent: Paul Rolfe

Owners: Menkes Developments Incorporated

280277 Ontario Limited

Pinetree Developments Limited

Land (brief description): Part Lot 5, Concession 3

Vaughan

(north of Glen Shields Golf Course)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The submission requests that all lands of the Companies not within the Design Area be released from the regulations of the Planning Area. This would occur once the Design Area has been established by the completed and approved Plan. Since the exact alignment of Highway 407 has not been established the Provincial Panel indicates that it is not possible at this time to provide the relief requested.

Recommendation:

That the Plan be accepted for this property.

Reasons:

The lands referred to in the submission are residual to the main parcel and are outside the Design Area although covered by the Provincial Regulations.

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

Elsewhere in this Report General recommendations have been made with respect to release of land from the Regulations.

File Number: 500-57

Submission Number: 189

Agent: Mrs. Ingrid Wharton

Group: Citizens Advisory Group, Richmond Hill

Land (brief description): General

(Bathurst Street to Bayview Avenue)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This Citizens Group endorses the goals as outlined in the Parkway Belt Plan, and the objectives elaborating thereon. They do question the narrowness of the Parkway Belt between Yonge and Bayview suggesting it is only a service corridor and not capable of performing the functions stated in the Plan's goals and objectives. The suggestion is made that stringent municipal controls be imposed on the lands north and south of the Belt in this area to provide for low intensity use only and to ensure long term land availability.

Exhibit: 436 Brief

Recommendation:

None.

Reasons:

This is a statement of general support of the Parkway Belt goals. The Hearing Officers have no jurisdiction on lands outside the Design Area.

See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.



File Number: 500-43

Submission Number: 190

Owners: William C. Bowles

Ada L. Bowles

Land (brief description): 116 Langstaff Road,

Thornhill

(Yonge Street at Highway 407)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property owner is concerned with the area west of Yonge Street and north of the proposed Highway 407. He is completely in support of the submissions of the Boyle Group, the Langstaff Community Association, and the Town of Richmond Hill. The brief questions the extent of the use and therefore the need of Highway 407 as proposed. He indicates such need has not been demonstrated by the Province. The owner wants to have the Langstaff Residents excluded from what he calls the Parkway Belt freeze or any further Provincial controls on their lands which create a devaluation of their properties and uncertainty of the future in the owners' thinking.

Exhibits: 437 Brief

438 Map of Area (West of Yonge Street)

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of Registered Plan 3450 (the Boyle subdivision) presently included in the Draft Plan.

Reasons:

In view of our recommendation with respect to the Langstaff Community (Submission 156), it is the opinion of the Hearing Officers that a re-study of the alignment of linear facilities in this area must be

conducted, therefore the above recommendation may allow the necessary flexibility to permit the existing housing here to remain.

File Number: 500-5

Submission Number: 191

Counsel: J.S. Farquharson, Q.C.

Owner: Costain Estates Limited

Land (brief description): Part of Lots 6 and 7, Concession III

Markham 49 acres

(Leslie Street at 500kv Hydro line)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission requests that the lands of Costain located west of the Leslie Street extension be deleted from the Complementary Use Area of the Plan and allowed to develop with the remainder of the German Mills community. Only about 1 acre of property will be purchased out of these holdings for the 500kv right-of-way. The remnant parcel east of Leslie Street, according to the submission, will be severed from the main parcel and should be acquired by the Province to add to those lands already owned by the Ministry of Transportation and Communications adjoining future Highway 404 (some 50 acres).

An appraisal of the lands was filed (Exhibit 441) showing the value of same in varying circumstances considering whether the lands were included or excluded from the Belt and reflecting the development potential.

The owner purchased the land in 1972 knowing its potential for development within the German Mills area of Markham. The submission of the Planner (Exhibit 439) sets forth the proposition that the deletion of the land would not diminish the goals and objectives of the Plan in any significant way. Its function as a separator between urban areas would be maintained with ample Complementary Use Areas and Public property for land reserves. The financial loss to the owners if the Parkway Belt is to remain as drafted would be in the neighbourhood of two million dollars.

Exhibits: 439 Brief (Bousfield)  
449 Official Plan, Markham Amendment No. 56B  
441 Appraisal Report, October 1974  
442 Statement of Sam Wilson, Manager Land Development,  
Costain Estates  
459 Argument, J.E. Farquharson

Recommendation:

That the Plan be modified by deleting those lands lying south of the proposed 500kv right-of-way from the Design Area.

Reasons:

This submission is one of a group of submissions considered together. A portion of the lands will be acquired by the Province for the Hydro right-of-way and the remaining portion will in part be required by the Municipality for the Leslie Street extension sometimes known as Don Mills Road.

It is our opinion that the inclusion of the lands in Complementary Use within the Plan would not further the goals and objectives as enunciated in the Plan. Both the Region and the Municipality support the eventual development of this area and the present Official Plan designation is urban residential.

File Number: 500-50

Submission Number: 192

Agent: Mrs. Kathleen Luxemburger

Owners: Aranka Demeter

Tiber Samu

Estate of Alexander Demeter

Land (brief description): Part Lot 10, Concession 4

Markham 9.75 acres

(east side of Brown's Corners)

Parkway Belt Sector: Northern Link, Map 5

Summary of Submission:

The subject property is part of a larger holding of the owners, two parcels of which were exempted from the Plan in 1975. This remaining acreage is used for a nursery and a portion borders the west side of the Rouge River and is in the flood plain. With the exception of that portion under Conservation Authority control the remaining lands in the Complementary Use Area were designated Industrial and Commercial in the Official Plan and zoned R.R. 4. The new proposed Official Plan designates the area Industrial. The request is for exemption from the Parkway Belt as all three parcels of the owners should be treated alike and as a unit. Since the valley of the Rouge River here is not shown for Public Use and is adequately protected the goals of the Plan would not be compromised.

Exhibits: 443 Resolution, Markham Council

444 Assessment Map

445 Plan of Fill Area Rouge River

446 Brief by way of letter

Recommendation:

That the Plan be modified by deleting the subject lands from the Design Area.

Reasons:

This is part of the same area involved in the Submission 194 and is covered in that recommendation and reasons.



File Number: 500-61

Submission Number: 193

Owner: Lloyd G. Lee

Land (brief description): Part of Lot 5, Concession 3

Markham 15 acres

(east of Leslie Street extension at Highway 404)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is located east of the Leslie Street extension on the west side of proposed Highway 404 and immediately south of the 50 acres presently owned by the Ministry of Transportation and Communications. The submission questions the need for the extreme width of the Parkway Belt between Bayview and Woodbine and claims such width is not justified. The brief refers in detail to the value of the lands for potential development, and weaknesses in the Government policies concerning compensation for lands taken, downzoned, or "frozen". This acreage is designated Residential in the Official Plan and zoned Agricultural. The owner requests that the land be exempted from the Parkway Belt Plan.

Exhibit: 447 Brief

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

It was necessary in dealing with this area to consider three individual submissions together. The property in these submissions lies east of the proposed Leslie Street (Don Mills Road) extension, and in view of the Town of Markham submission and the Official Plan urban residential designation on the lands, the whole area south of the Hydro right-of-way and west of Highway 404 as proposed to the Leslie extension, gave us considerable concern.

Immediately south of the Parkway Belt where the CNR forms the edge there is an existing subdivision of quality homes abutting the Highway 404 right-of-way. Immediately east of Highway 404 and within the Complementary Use Area of the Belt north of the CNR a special area has been set aside by the Plan for Complementary Industrial uses as set out in Section 6.4.3(i)(ii).

In our opinion, and taking into consideration our recommendations for the lands west of the Leslie extension, there is no justification for the inclusion of these lands within the Design Area as Complementary Use. Elsewhere in this Report General recommendations are made with respect to this area south of the proposed Hydro alignment.

File Number: 500-11

Submission Number: 194

Counsel: T.P. McIver, Q.C.

Owners: Macksmith Holdings Limited

Windom Investments Limited

Ryan Brothers

Galahad Investments Ltd.

James Sabiston Limited

R. Alan Eagleson, Q.C.

Tomsett Construction Limited

Ronald Clinker and Dora Clinker

Horace R. Britton

Land (brief description): Part of Lots 9 and 10, Concessions 3 and 4  
Markham 241 acres ±  
(south of Brown's Corners)

#### Parkway Belt Location:

This brief presents a critical analysis of the lands and boundaries of the Parkway Belt Complementary Use Area and linear facilities as they relate to a group of owner companies and individuals in the general vicinity of Brown's Corners and Highway 7. The study reviews the physical environment and land uses and directs itself to servicing, market analysis, planning controls and policies, and proposes a re-alignment of the Parkway Belt within the Design Area. It is alleged that the present Parkway Belt Draft does not clearly define a "Northern Edge" by a visible linear facility such as Highway 407 in this area; nor does it set out clearly any contrast in landscape features as there is here development at several levels of intensity both within, and outside of the Design Area particularly along Woodbine Avenue. The Primary Study Area completely surrounds Brown's Corners as excluded in the Parkway Belt Plan south of Highway 7 and extends westerly to the

proposed Highway 404, easterly to the 660 foot Hydro transmission line running northerly from Parkway Station, and southerly to the north limit of Highway 407. It is the recommendation in the Brief that this whole area be excluded from the Parkway Belt Plan thereby revising the boundaries in this location. Such a revision would include the lands of Demeter (Submission 192) and Continental (Submission 159). Argument on behalf of the owners alleges that the inclusion of these lands has not been justified as required by the legislation. Similarly the Municipality concurs with the request for exclusion of this industrial area as the same is of minimal significance to the realization of the Parkway Belt objectives. The reasons for exclusion are detailed in the Planning Brief (Exhibit 451, Pages 34 and 35).

- Exhibits: 450 Brief of McIver  
 451 Brief, Marshall Macklin Monaghan  
 452 Plan of Land Ownerships  
 453 Brief of Edward S. Smith  
 454 Brief, H. Orfus  
 455 Region of York, Strategy Statement

Recommendation:

That the Plan be modified by deleting from the Design Area that area bounded on the west by proposed Highway 404 and its interchange with proposed Highway 407, on the east by the 660 foot north/south Hydro transmission line, and on the south by the south limit of Lot 9 in both Concessions 3 and 4.

Reasons:

The Hearing Officers recognize that the south limit of Lot 9 is not as preferable a hard edge as proposed Highway 407, but this additional

small area of land appears to be in Government ownership and is thus not included in the recommendation.

This recommendation involves certain lands other than those referred to in our summary of Submission 194. These will be dealt with separately by reference to this recommendation.

These lands are in the Brown's Corners area and are designated under the Official Plan in a manner to permit a fairly intensive urban development and indeed such is now taking place on both sides of Woodbine Avenue. The Town of Markham in preparing its new Official Plan has designated this area as one of critical importance to the commercial and industrial development of the Town.

A most recent report of the Region entitled "A Recommended Strategy for Urban Development for South Central York" in supporting an industrial/commercial development of this area makes note of the road transportation advantages of the area, availability of a huge skilled labour market with easy access to the area, and the potential industrial linkage available in the south Don Mills industrial area.

The Hearing Officers are of the opinion that the apparent minor enhancement to the Plan provided by including this area is not nearly as significant as the public interest that would be served by excluding the area so that it might be put to the uses suggested by the Town of Markham and the individual owners.



File Number: 500-62

Submission Number: 195

Owner: A.J. Everett

Land (brief description): Part Lot 26, Plan 3659 York 1 acre ±  
Richmond Hill  
(east Don River Open Space Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission and other subsequent submissions 196 and 197, along with previous submissions (e.g. Laing) all relate to the boundary location of the Parkway Belt to the rear of properties on the East Don River fronting on Westwood Lane. The common concern is for a delineation of the east boundary of the Public Open Space Area, which will least affect the use and aesthetic appeal of the owner's lands particularly with respect to top of bank of the river and retention of out-buildings, septic tank fields, and pleasant wooded and landscaped areas. Also involved is the security of the owner's property. This brief requests a location of the boundary at the west limit of the owner's lands, an exemption from the Regulations already having been given for a portion of the rear yard only.

Exhibit: 456 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This submission along with four others in this general high quality residential area requested the Hearing Officers to redefine the Design Area boundary of the Public Open Space to the rear of the property. On the evidence it has been demonstrated to the Hearing Officers that all the owners in this area have maintained the open space character and



aesthetic appearance of the rear yard to the benefit of the creek valley.

Since the Design Area boundary in this location is uncertain, considerable anxiety has been caused to these owners as to the ultimate acquisition for public purposes of some portion of these properties that will be left out of the Plan. It is the opinion of the Hearing Officers that there is no justification for the inclusion of this property or the neighbouring lands to accomplish the goals and objectives of the Plan. Land to the south and west of this area has already been purchased by the Province and in accordance with the Plan additional property will be acquired sufficient for the use of the public in this district.

File Number: 500-63

Submission Number: 196

Owners: G.M. Macdonell and Patricia Macdonell

Land (brief description): Part Lot 26, Plan 3659 York 1 acre ±  
Richmond Hill

(east Don River Open Space Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This residential property is located immediately south of the Everett lands partly in the East Don River Public Open Space Area. Again the request is for relocation of the east boundary of the Parkway Belt so as not to detrimentally affect the use and enjoyment of the owners' property or the landscaping, outbuildings, septic installations and so forth. It is pointed out that the boundary in the Parkway Belt Plan here is not specifically fixed in accordance with the line on Map 5, but that some flexibility is possible and in fact the Provincial intent is to disturb the owners' use of rear yards to the least degree possible.

Exhibit: 457 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This submission along with four others in this general high quality residential area requested the Hearing Officers to redefine the Design Area boundary of the Public Open Space to the rear of the property. On the evidence it has been demonstrated to the Hearing Officers that all the owners in this area have maintained the open space character and aesthetic appearance of the rear yard to the benefit of the creek valley.

Since the Design Area boundary in this location is uncertain, considerable anxiety has been caused to these owners as to the ultimate acquisition for public purposes of some portion of the rear of their lands. They are also concerned with the security by fencing or otherwise of the portion of these properties that will be left out of the Plan. It is the opinion of the Hearing Officers that there is no justification for the inclusion of this property or the neighbouring lands to accomplish the goals and objectives of the Plan. Land to the south and west of this area has already been purchased by the Province and in accordance with the Plan additional property will be acquired sufficient for the use of the public in this district.

File Number: 500-65

Submission Number: 197

Owners: R. Mansfield

Beate Mansfield

Land (brief description): Part Lot 27, Plan 3659 York

Richmond Hill 1 acre ±

(east Don River Open Space Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The submission herein again follows that of adjoining property owners (e.g. Laing) and specifically sets out three points:

1. To establish as soon as possible the Parkway Belt easterly boundary in the location of these properties,
2. Set that boundary at right angles to the northerly lot line and west of the outbuilding in the rear yard, and
3. Establish equitable terms for eventual acquisition of the lands required for Open Space in the Parkway Belt Plan.

Security by way of a fence and owners' access by gate to the Creek is also a part of the submission. Again the flexibility of the boundary line is pointed out providing for exclusion of outbuildings, etc.

Exhibit: 458 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This submission along with four others in this general high quality residential area requested the Hearing Officers to redefine the Design Area boundary of the Public Open Space to the rear of the property. On

the evidence it has been demonstrated to the Hearing Officers that all the owners in this area have maintained the open space character and aesthetic appearance of the rear yard to the benefit of the creek valley.

Since the Design Area boundary in this location is uncertain, considerable anxiety has been caused to these owners as to the ultimate acquisition for public purposes of some portion of the rear of their lands. They are also concerned with the security by fencing or otherwise of the portion of these properties that will be left out of the Plan. It is the opinion of the Hearing Officers that there is no justification for the inclusion of this property or the neighbouring lands to accomplish the goals and objectives of the Plan. Land to the south and west of this area has already been purchased by the Province and in accordance with the Plan additional property will be acquired sufficient for the use of the public in this district.

File Number: 500-67

Submission Number: 198

Counsel: J.S. Farquharson, Q.C.

Owner: Torva Holdings Limited

Land (brief description): Parts Lots 9 and 10, Concession 2

Town of Vaughan 104 acres

(west Highway 7 at 500kv Hydro corridor)

Parkway Belt Location: Northern Link, Map 5

#### Summary of Submission:

The subject property is divided into three parcels by the Parkway Belt Plan. The southerly 41 acres are to be acquired for the 500kv line, the mid 8 acres for the future utilities corridor and the balance of 55 acres left in Complementary Use. These lands are designated rural in the Official Plan and zoned for Agricultural uses. Originally in 1973 the Torva lands were not included in the Parkway Belt Plan. The alignment of the Hydro line is the key aspect here and the submission proposes a realignment along with the utility corridor to a northerly location thereby freeing additional land (to a total of some 66 acres west of Bathurst Street owned by Torva, and additional lands to the east by others). It is alleged such realignment would be more functional and less costly as evidenced by the witness, Williams of Shawinigan Engineering. The question is of course other property owners involved and located in the Complementary Use Area are perhaps perfectly satisfied with such designation. It is alleged that such other owners east of Bathurst would be satisfied with such a proposed relocation of the southern limit of the Belt here. The significant saving in cost (\$1,000,000 plus) is the result of fewer bends in the Hydro line when constructed. The damage to woodlots would be slightly more than 22 acres as opposed to 17 acres in the re-aligned route. At the same time it is stated in the brief that the goals and objectives of the Plan would not be seriously diminished.



Exhibits: 460 Brief (Bousfield)  
461 Brief, Shawinigan Engineering  
462 Appraisal Report  
463 Argument of Counsel

Recommendation:

That the Plan be modified by realigning the 500kv right-of-way and 100 foot future utility strip to the north and deleting those remaining lands of the owner (approximately 66 acres) from the Design Area all in accordance with plate 2, Exhibit 460 shown as "proposed modification".

Reasons:

As expressed in the summary of submission the Hearing Officers were concerned with consents to be obtained from Glen Ash Developments and Loretto Ladies Colleges and Schools, the owners of land affected both east and west of Bathurst Street by the proposed realignment recommended. These consents in writing have now been submitted as part of this submission.

Evidence before us indicates the realigned Hydro and utilities corridor could effect a saving in construction costs in excess of \$1,000,000.

The Parkway Belt in this location forms a capping function to the Metropolitan Toronto Urban Area.

In our opinion none of the goals and objectives in this section of the Link would be compromised by the slight narrowing of the Design Area here.

File Number: 500-68

Submission Number: 199

Owner: A. Vasilovsky

Land (brief description): Part Lot 8 Concession 7 5 acres

Markham (East McCowan Road, South of  
Milne Conservation Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The representative is part owner of these lands on the east side of McCowan Road some 185 feet in frontage by 1306 feet in depth. The property was purchased in 1969 with a house thereon. It is zoned Rural R.R. 2 and bears a Rural designation in the Official Plan. The owners wish to build for residential uses and it may be that a future Interchange from Highway 407 would take the frontage of the lands on McCowan Road. The owners are concerned with the future prospects for the property and when it might be determined what land would be required from them if any. The representative was advised of the Advance Purchase Distress Program of acquisition.

Exhibit: Nil

Recommendation:

That the Plan be accepted for this property.

Reasons:

Any expansion of the presently permitted uses in order to provide additional residential development on this land is totally impractical owing to its physical shape and lack of services.

A relocation of the Highway 407 right-of-way to the north and its interchange with McCowan Road could possibly affect this property when in the long term detailed design criteria have been established.

File Number: None

Submission Number: 200

Owner: Nick Gianjos

Land (brief description): Part Lot 8 Concession 6 Markham 6.5 acres  
(West side McCowan Road)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This property is located across from the lands in the previous submission No. 199 and has some 167 feet of frontage on the west side of McCowan Road extending to a depth of 1691 feet. The owner purchased in 1972 or 1973 and has since put the lands on the market but has been unable to find a purchaser since they are designated Complementary Use in the Parkway Belt Plan. The property does not appear to be affected by the North-west Quadrant of any Interchange between McCowan and the future Highway 407. If the existing dwelling was destroyed it could be rebuilt without consent of the Province and the owner's concern is mainly with the present restrictions as to expansion of existing uses or new and broader uses than those allowed by the Complementary Use area here.

Exhibit: Nil

Recommendation:

That the Plan be accepted for this property.

Reasons:

Any expansion of the presently permitted uses in order to provide additional residential development on this land is totally impractical owing to its physical shape and lack of services.

A relocation of the Highway 407 right-of-way to the north and its interchange with McCowan Road could possibly affect this property when in the long term detailed design criteria have been established.

File Number: 300-16

Submission Number: 201

Counsel: R.K. Webb, Q.C.

Owner: Lexlaw Investments Limited

Land (brief description): Part of Lot 15, Concession 7 E.H.S.

Brampton 100 acres ±

(east of Airport Road, north of CNR)

Parkway Belt Location: Northern Link, Map 4

#### Summary of Submission:

These lands extend between Airport Road on the west and Goreway Drive on the east and are designated Complementary Use with the 100 foot future utilities corridor bisecting the property. Immediately to the east is the Siscoe Metal land now being developed for the Kraft Food plant within the Parkway Belt. The surrounding property is mixed farmland with large unused tracts now vacant, and there are no significant physical features to the lands. They are designated Agricultural in the Official Plan and bordered to the north in part by the Hydro corridor already acquired. The relocation of the CNR Malport Terminal to the north will require railway spurs through the Lexlaw holding and that trackage is already under expropriation. With such development, and the resulting improvement in the area, highways and increased traffic to and from Malport, the property is most attractive now for Industrial uses.

The land to the south of the CNR line and just outside the Parkway Belt is heavily developed in Residential and Industrial uses. Accordingly the submission requests the exemption of the lands from the Parkway Belt or in the alternative a broadening or expansion of the permitted uses of the Complementary Use Area in this location to allow development industrially, say to a maximum of 50% coverage. In view of the north/south access through the Parkway Belt by road and rail with the reloca-



tion of Malport and the changes in the Plan allowing for the development of the Kraft plant, such Industrial uses property controlled in this section would not now compromise the Plan. It is to be noted that with the Report on the Hearing of Necessity with respect to the Imperial Oil station at Airport Road and Steeles, the Hydro right-of-way may be shifted to the south by some 85 feet thereby affecting in part the Lexlaw property.

Exhibits: 464 Brief, Montague Pound and Associates

465 Map of Subject Lands and area surrounding

466 Report on Kraft Development, January, 1975

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100-foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

It is the opinion of the Hearing Officers that with the proposed development allowed for Kraft Foods, the relocation of the Malport Terminal north of the Plan, and the fixed position of the 500kv right-of-way that the CNR is not a logical southerly hard edge to the Design Area in this location.

Elsewhere in this Report General recommendations have been made with respect to the realignment of the proposed future utilities strip.

File Number: 300-77

Submission Number: 202

Counsel: R.K. Webb, Q.C.

Owner: Streetsville Glen Limited

Land (brief description): Part Lots 14 and 15, Concession 6

Brampton 120 acres

(Streetsville Glen Golf Course)

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The subject land is in golf course use on a pay as you play basis and designated Private Open Space in the Plan. Most of the lands are high and not valley lands. In the Official Plan they are Agricultural and zoning is the same. The owner is prejudiced by the Plan in that it appears the property will ultimately be Public Open Space (this is not clarified by the Parkway Belt Plan) and was probably included merely because it is in golf course use. Will the land be acquired and when? In the meantime the owner cannot borrow on the security of the property, sell the land or even change to Agricultural use under the Plan at present. There are also difficulties in obtaining permits for expansion or new buildings. There would appear to be no advantage or justification for inclusion of this property in the Plan and many disadvantages to the owner. It is requested the property be excluded and the Official Plan be allowed to govern development.

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

The inclusion of this land has not been justified in the opinion of the Hearing Officers.

It appears to the Hearing Officers that the only reason for including this private land is because it is a golf course and might be said to afford some protection to the Credit River Meadowvale Public Open Space Area. However, in the minds of the Hearing Officers the Public Open Space provided in the Plan already gives adequate protection to the Credit River Valley.

The Plan is vague and indefinite as to the future public acquisition and the time schedule for such. To restrict a private owner to the uneconomic uses allowed in the Plan (even though this land is zoned agricultural, that use is not allowed under the Plan), would be to impose too great a hardship on a private owner for the possible public good.

File Number: 300-60

Submission Number: 203

Counsel: J. Kenneth Kidd, Q.C.

Owners: Dorothy R. Coles, Executrix of the Estate of Dr. B.C. Coles

Land (brief description): Part Lot 5, Concession 7

Vaughan 5.304 acres

(Woodbridge)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission involves a problem with respect to the location of the boundary of the Parkway Belt in the Humber River Open Space Area at Woodbridge. The owner is concerned about the retention of the table-lands as being outside the Parkway Belt limit and is satisfied that the valley lands be included in the Plan and ultimately purchased. The area involved amounts to some twelve feet more or less at the south limit of the property. It may be that the regulations can be amended to exclude this portion of the property as described by the surveyor in the description appended to the Brief (Exhibit 467) and establish the Parkway Belt boundary on the south limit of the land in accordance with the request.

Exhibit: 467 Brief

Recommendation:

None

Reasons:

Because our recommendation in Submission 17 (Solmon) excludes the land abutting to the south no recommendation as to the location of the Design Area boundary as relating to these lands is necessary.



File Number: 300-60

Submission Number: 204

Counsel: J. Kenneth Kidd , Q.C.

Owner: H.G. Ella

Land (brief description): Part Lot 5, Concession 7

Vaughan 9.27 acres

(Woodbridge)

Parkway Belt Sector: Northern Link, Map 5

#### Summary of Submission:

This property fronts on Kipling Avenue and extends easterly to the CPR line. It is included in the future Humber River Open Space Area. It is alleged that the lands are cleared tableland which would not lend themselves to parkland. Water and sewer services are located nearby and no real urban separation would be achieved by inclusion of the area within the Parkway Belt Plan. The valley land here is controlled by the Conservation Authority so is adequately protected. The property is not easily accessible from the valley and no real benefit would be achieved by inclusion in this Open Space Area. The submission requests exclusion in total of this property.

Exhibit: 468 Brief

#### Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

#### Reasons:

In the opinion of the Hearing Officers the subject property if ultimately purchased would add little to the goals and objectives of the Plan considering the cost to the public of acquisition.

The land would not contribute to the urban separator function in this area and the topographical features do not lend themselves to park purposes. The proposed inclusion for Public Open Space is not in our opinion justified.



File Number: 300-70

Submission Number: 205

Agents: James W. Wilson, Chairman and William McGannon

Group: Erindale Woodlands Residents Association

Land (brief description): Block "M" 6.5 acres

Mullet Creek Public Open Space Area

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The subject matter of the submission relates to the inclusion of lands referred to as Block "M" at the southwestern tip of the Credit River/Mullet Creek Public Open Space Area which property is in fact shown in the Plan to be acquired. The area contains a large stand of mature trees and the citizens feel it is essential for this to remain undeveloped. The submission commends the Parkway Belt Plan in its retention of some of the little remaining natural beauty areas in this part of Ontario for Public Use and enjoyment. It is the understanding of the Hearing Officers that the subject parcel has now been purchased for Public Use and retention within the Parkway Belt Plan and accordingly the recommendation in the submission has been met.

Exhibit: 469 Brief

Recommendations:

None

Reasons:

This block is already in public ownership.

File Number: 300-81

Submission Number: 206

Counsel: A. Leibel

Owner: W.B. Sullivan Construction for Morenish Land Development Co. Ltd.

Land (brief description): Part Lots 1 and 2, Concession 2 N.D.S.

Mississauga 37 acres

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

This submission requests that the 37 acres of land shown in the Plan as part of the Centennial Park, Etobicoke Creek Public Open Space extension be excluded from the Plan and allowed to develop as part of the plan of subdivision already developed to the immediate south. In that plan access has been retained to this property and services are installed sufficient to allow the additional residential uses. Prior to the Parkway Belt Plan the lands were designated as residential and zoned single family R.4. Such would permit 158 single family dwellings on 6,000 square foot lots conforming to the existing municipal by-law. It is stated that none of the four Parkway Belt Goals would be jeopardized by allowing the additional development here as planned. The applicant asks that this property therefore be excluded from the Plan. In this connection see as well File 400-118, Submission 237.

Exhibits: 470 Brief

471 Schedule "B" to B/L 5500 Mississauga

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This land enjoyed residential designation and zoning prior to the Plan and servicing is readily available to the site from the lands already

developed by this owner to the south. The Belt in this location designates these lands for Public Open Space, but the subject property is in fact west of Etobicoke Creek and therefore separated from Centennial Park.

The Metropolitan Toronto and Region Conservation Authority already own in excess of 30 acres lying between the subject lands and Etobicoke Creek. In the opinion of the Hearing Officers the Public Open Space in this particular area is adequate. (see Submission 23) The considerable public cost of the acquisition of these zoned and serviced lands does not in our judgment justify the slight widening of the Belt in this location.

File Number: 300-53

Submission Number: 207

Counsel: E.A. Goodman, Q.C.

Owners: Ontfax Investments Limited

Batsen Investments Limited

(Cadillac Fairview Corporation Ltd.)

Land (brief description): Meadowvale North Community 675 acres

(Winston Churchill Boulevard to Creditview  
Road, north of Highway 407)

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The submission herein is undoubtedly the most unique proposal received during the course of these Hearings. A very detailed series of studies was made by the Cadillac Fairview Corporation which controls the owner companies. As a result a development plan was conceived for a co-operative farming operation to be conducted on the lands both within the Complementary Use Area of the Parkway Belt and on the Company's properties to the north thereof consisting in all of some 475 acres. The recommendation is for a special study to be made of this area to allow the proposal to proceed which development plan would be a unique departure from any other type of concept for lands within the Parkway Belt Plan. It is suggested that the integrity of the goals and objectives of the Parkway Belt Plan would in fact be strengthened in perpetuity in this area.

The concept in its simplest terms is for residential farming type housing on a co-operative or condominium style basis which would utilize only 8% of the land for development of roads and housing, some 2% in ponds and streams and leave the remaining 90% in mixed Agricultural Uses to be worked by the residents on a co-operative basis managed by the owners'

full time employee. The details are fully set out and illustrated in Exhibit 473. The linear facilities of the Parkway Belt in this location would be left wholly intact and the Plan developed adjoining them to the north. Some 300 units of housing would be marketable, 200 in single family and 100 in multiple housing.

Exhibits: 472 Brief

473 Co-operative Farm Conceptual Study

Recommendation:

That the Plan be modified by adding to the Specific Policies set out in Section 6.3.3 of the text a section permitting the proposal for residential housing on a rural type limited scale in accordance with Exhibits 472 and 473.

Reasons:

This unique proposal was by far the most imaginative presented to the Hearing Officers over the whole of the Hearing period. The Parkway Belt in its existing form including the linear facilities here will remain fully intact as presently aligned.

In the opinion of the Hearing Officers the expansion of the permitted uses in the Complementary Use Area owned by the companies involved in the submission, south of Streetsville Glen Golf Club for rural residential type housing to the density suggested, would permit the developer to tie into the proposal considerable land which they own outside the Design Area.

The result would be a co-operative communal type mixed residential and farming operation totally compatible with the goals and objectives of the Parkway Belt at this location.



File Number: 300-61

Submission Number: 208

Counsel: R.J. Watson, Q.C.

Owner: 27 Apartments West Limited

Land (brief description): Part Lot 5, Concession 7

Vaughan 1 acre

(east side Kipling Avenue and west of Humber River)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The subject property is the remainder of a larger acreage sold to the Ministry of Government Services for Provincial use within the Humber River Public Use Area. There is a house on this Kipling Avenue property which appears to be outside the Design Area but covered by the Parkway Belt Regulations. The request is for the lands to be released from the Regulations as a legal description of same is now available and the applicant wishes to be excluded from the Plan.

Exhibits: Nil

Recommendation:

None.

Reasons:

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

Reference should also be made to General recommendations elsewhere in this Report.



File Number: 300-62

Submission Number: 209

Counsel: R.J. Watson, Q.C.

Owner: Woodfield Developments Limited

Land (brief description): Part Lots 3, 4, and 5, Concession 8

Vaughan 220 acres

(Humber River Public Open Space Area)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

Most of the subject property is within the Humber River Public Open Space Area south of Woodbridge. Some 100 acres of additional land was already sold to the Ministry of Government Services for the use of Hydro's Claireville Station, this having originally been included in an overall Subdivision Plan. Hydro wishes to acquire an additional 24 acres in Lot 3. The submission requests that the tablelands amounting to some 120 acres be allowed to develop in residential uses and be deleted from the Parkway Belt. The existing lands in Lot 5 out of the Plan cannot properly be developed without including additional property within the Design Area. The valley lands here are easily accessible and there is ample Public Open Space in this district. It is suggested that the cost of acquiring this tableland would not be commensurate with the benefits derived and the inclusion of this property would add little if anything to the overall Parkway Belt Plan. The valley lands would be left in the Design Area and acquired by the Province. Therefore adjust the Parkway Belt boundary southerly to between Lots 3 and 4 leaving a viable acreage for development. The Belt here is not merely a Public Open Space Park Area but an urban separator and the Provincial Panel indicates therefore that the greater land area in this location is required to achieve the goal of urban separation.

Exhibits: 474 Brief of Counsel

475 Survey of Subject Lands

476 Aerial Photo of Lands and Surrounding Area

Recommendation:

That the Plan be modified by deleting from the Design Area all of the lands of the owner north of the property designated in the Plan to be acquired for Hydro purposes.

Reasons:

These lands have been designated in the Plan as part of the Humber River Public Open Space Area with the exception of some 24.7 acres at the south-west corner of the property, shown for Hydro purposes.

It is the opinion of the Hearing Officers that the Humber River Valley and the tableland surrounding it, east of Kipling Avenue are presently adequately protected by lands already in Government ownership. Similarly it would appear that with the vast Claireville Conservation Area and that area to the south-east in the same area so close by, sufficient open space in this district has been acquired.

One of the main objectives of the Plan in this area is to separate the Metropolitan Toronto urban area from the built-up area at Woodbridge. The Hearing Officers are of the opinion that such separation is already achieved without the inclusion of the lands herein at considerable cost of acquisition.

We are advised by the Provincial staff that it is intended to restrain the population growth at Woodbridge and we feel this can be achieved through the usual municipal planning process and any ultimate development of this area would provide for the protection of the Rainbow Creek

Valley land through the usual subdivision process. It is to be pointed out that the Plan itself does not specifically mention this creek valley.

File Number: 500-10

Submission Number: 210 (written only)

Owner: Robert Tutton

Land (brief description): Part of Lot 3, Concession V

Vaughan 62 acres ±

(between Highway 400 and Jane Street)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission is in writing only and no brief or letter concerning the requested relief was received. The original request for hearing was to ask that the subject lands be excluded from the Parkway Belt Plan.

Exhibit: Nil

Recommendation:

That the Plan be accepted for these lands.

Reasons:

The whole of the property herein will ultimately be required for future Highway 407 and the interchange with Highway 401.

The Parkway Belt in this location provides for linear facilities and acts as an urban separator. It is to be noted that the Province already has acquired the land to the north of this property. Elsewhere in this Report General recommendations are made with respect to the staging of the acquisition of land required for public purposes.

File Number: 300-41

Submission Number: 211 (written only)

Counsel: R.K. Webb, Q.C.

Owner: Markborough Properties Limited

Land (brief description): Part Lots 11 and 12, Concessions 3 and 4 W.H.S.  
Mississauga

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The property herein is south of the proposed Hydro 500kv corridor in the Plan and west of the Credit River. The Hydro lands and future utilities corridor has been acquired and the property of the company in the Public Open Space Area has yet to be purchased. It is requested in the written submission that the south boundary of the Plan and the Hydro corridor as acquired be fixed at this time so as to relieve the uncertainty of additional property being needed. It is further suggested that the municipal boundary between Brampton and Mississauga be amended to conform with the south limit of the Parkway Belt in the area. There is as well concern expressed as to the exact interpretation of the 300 foot table land from the Credit River and a possible variation of this limit as expressed under the flexibility of the Plan.

Exhibit: 526 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

- (1) The south limit of the Parkway Belt Design Area as it affects the major part of this property has already been fixed as being coincident with the south limit of the 500kv hydro corridor.
- (2) The Hearing Officers have no jurisdiction to make recommendations for the adjustment of municipal boundaries. Incidentally the Parkway Belt Plan deals with urban envelopes.

- (3) In our opinion the Plan as already drawn in Section 4.2.2 and 4.2.5 now provides some flexibility for negotiating the boundary of the tableland necessary for the protection of the Credit River Valley.



File Number: 300-76

Submission Number: 212 (written only)

Counsel: David B. Black, Q.C.

Owner: Siscoe Metals of Ontario Limited

Land (brief description): Part of Lots 14 and 15, Concession 8

Brampton 150 acres ±

(east of Goreway Drive (Kraft))

Parkway Belt Sector: Northern Link, Map 4

Summary of Submission:

This submission in writing states that if the Parkway Belt boundaries continue unaltered by the Draft Plan in this area the Company's lands should remain in Complementary Use. However, the descriptions of the uses allowed in this designation are vague and must be further defined to include those uses which would allow for the orderly development of the land within the general framework of the Plan. The anxiety and uncertainty which the owner faces must be relieved to give the owner specific uses.

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

It is the opinion of the Hearing Officers that with the proposed development allowed for Kraft Foods, the relocation of the Malport Terminal north of the Plan, and the fixed position of the 500kv right-of-way that

the CNR is not a logical southerly hard edge to the Design Area in this location.

Elsewhere in this Report General recommendations have been made with respect to the realignment of the proposed future utilities strip.

File Number: 500-37

Submission Number: 213 (written only)

Agent: A.R. Dawson

Owner: York University

Land (brief description): York University

(south of Steeles Avenue and West of Keele Street)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The University is concerned that the 545 foot Hydro 500kv right-of-way and future utilities corridor are now located south of the CNR rail line on lands across Steeles Avenue from the University campus. It is opposed to that location since it has worked closely with the owners of lands to the north (Keele-Steeles Ltd., File 500-20) to ensure that prestige type non-polluting industry might locate across from the campus so as not to reduce the attractiveness of the area or interfere with the audio-visual microwave program of receiving such signals at the University. They wish the corridor and south limit of the Parkway Belt moved to the north of the CNR allowing that line to form the south hard edge of the Parkway Belt Plan as in other areas.

Exhibit: 434 Brief by Letter

Recommendation:

None

Reasons:

The Hearing Officers are appreciative of the problem posed by the location of the 500kv Hydro line as it may affect the University.

It must be pointed out that the Hydro line will be located better than  $\frac{1}{4}$  mile from the University buildings, and this would leave approximately 700 feet in depth remaining for industrial development as contemplated by the owner on the north side of Steeles Avenue.

In our opinion as stated in Submission 186, the proposed Hydro location would appear to be the only viable alternative for this area bearing in mind the constraints imposed by existing development to the north.

File Number: 200-24

Submission Number: 214 (written only)

Agent: Norman S. Hickey

Group: Ontario Golf Association

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

This is a general submission in writing supporting the Parkway Belt Plan in principle. They wish every encouragement to be given to both private and commercial golf courses to develop and continue. The brief by way of letter suggests the leasing of surplus government lands on a long term basis to allow further development of golf courses in the Parkway Belt Area.

Exhibit: 477 Brief by letter

Witness: Nil

Recommendation:

None

Reasons:

The submission is one of general support for the principles of the Plan and is more properly concerned with the implementation of the Plan after approval.

Many individual submissions from owners of golf courses were made and these have been dealt with on their merits as the opinions of individual owners or operators did not necessarily agree with the opinion expressed by this submission.



File Number: 300-78

Submission Number: 215

Counsel: T.H. Wilson

Owner: Mandale Realty Limited

Land (brief description): Part Lot 14, Concession 8 E.H.S.

Mississauga 55 acres

(south of Kraft Foods and Siscoe)

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The subject property is in a Complementary Use designation bordered on the south by the future utilities 100 foot right-of-way and located on the east side of Goreway Drive. The lands are immediately south of Siscoe Metals and an exemption has already been allowed in part for Kraft Foods on that property. The submission requests that low density Industrial Uses be allowed on the Company's lands in this Complementary Use Area as in the Kraft Food case and this is endorsed by the City of Brampton (See Exhibit 478) subject of course to conditions and control exercised by the City and Province. With rail and road access this would seem to be a logical use according to the Brief.

Exhibits: 478 Resolution of Council, Brampton

479 Key Map

480 Brief

Recommendation:

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that

similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.

A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservation area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

It is the opinion of the Hearing Officers that with the proposed development allowed for Kraft Foods, the relocation of the Malport Terminal north of the Plan, and the fixed position of the 500kv right-of-way that the CNR is not a logical southerly hard edge to the Design Area in this location.

Elsewhere in this Report General recommendations have been made with respect to the realignment of the proposed future utilities strip.

File Number: 300-65

Submission Number: 216 (Written)

Agent: L. Whitehouse

Owner: Whitehouse Realty Limited

Land (brief description): Highway 400, Highway 7, and future  
Highway 407 General

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission refers to the major north-south transportation corridors through the Parkway Belt and supports the Plan's objectives in the Highway 400/7 area. Three major points are made in suggesting that the Provincial Plan would be enhanced.

- (1) Set up an electric rail line if possible in the Highway 400 north-south corridor.
- (2) Set aside large area parking lots within the Green Belt area for the use of commuters and others.
- (3) Finalize the design of the Highway 400/407 Interchange now so development here can be co-ordinated.

The general concept of the Plan is supported. It is pointed out by the Provincial Panel that parking lots of the type suggested would be allowed within the Design Area where required.

Exhibit: 481 Brief

Recommendation:

None

Reasons:

This submission is one of general support to the concept of the Plan and otherwise makes certain suggestions with respect to north-south transportation systems which have already been considered as part of the Plan.

File Number: 400-86

Submission Number: 217 (written only)

Agent: R. Putns

Group: Beaufort Heights Residents

Land (brief description): South of Dundas Street (Highway 5)

(Between Kerns Road and Brant Street)

Parkway Belt Location: Escarpment Link, Map 2

Summary of submission:

This submission supports the Parkway Belt Plan in the Beaufort Heights area and objects to the submissions made for additional development and exclusion from the Public Use Area by Longmoor and attempts to refute certain points therein. The Plan as proposed is heartily supported in the existing form in this area.

Exhibit: 482 Brief

Recommendation:

None

Reasons:

This submission has been accepted in part by leaving the lands in Submission 126 within the Design Area. Therefore no recommendation is necessary on this submission as the Recommendation and Reasons set out in Submission 126 are self explanatory.



File Number: 500-2

Submission Number: 218 (written only)

Agent: H.A. Wooding

Owner: City of Toronto

Land (brief description): Jail Farm Properties

Concord and Langstaff

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

The Toronto Executive Committee Report Number 35 as amended by Council is submitted supporting the alignment of the Parkway Belt in the vicinity of the Concord and Langstaff farms owned by the City. Details were sought as to how the Langstaff Community might be protected from the Plan's effects and a full report of planning staff is detailed as to the serious dislocation involved in the Langstaff Area of commercial, industrial and residential sites. The City supports the preservation of Langstaff.

Recommendation:

None

Reasons:

The Hearing Officers have no jurisdiction on those lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

Reference should also be made to our recommendation and reasons in connection with Submission 156.

File Number: 500-54

Submission Number: 219 (written only)

Agent: John M. Dewar

Group: Town of Vaughan

Land (brief description): Baker Sugar Bush  
Wigston

Parway Belt Location: Northern Link, Map 5

Summary of Submission:

This written submission encloses copies of council items dealing with specific properties within the Parkway Belt. With respect to the Baker Sugar Bush the Town requests it be designated in the Complementary Use Area of the Plan. Concerning Wigston the Town supports a severance of the easterly 200 feet of his property for conveyance to the adjoining owner to extend a residence on the east side of Bathurst Street in the Design Area of the Plan.

Recommendation:

None

Reasons:

See Submission 158 where the matter referred to has been dealt with. With respect to the Wigston portions of the submission that portion of the submission is withdrawn and at any rate would not be within our jurisdiction with respect to severances.

File Number: 200-22

Submission Number: 220 (written only)

Group: Hamilton Society of Architects

Toronto Society of Architects

Land (brief description): General

Parkway Belt Location: General

Summary of Submission:

These two submissions in writing were filed through the Ontario Association of Architects and deal with the westerly end of the Parkway Belt in general terms making specific recommendations set out in the Hamilton Society brief as follows:

- (1) With respect to the section of the Queen Elizabeth Way between Hamilton and Toronto the submission is to curtail further development adjacent to the highway to provide a green space break or breaks in the urban sprawl.
- (2) Concerning public parks, suggestions are made for their expansion or relocation in some instances.
- (3) An extension of Highway 403 is proposed through the Escarpment Link to the Haldimand-Norfolk Area.

The brief supports the Parkway Belt concept and makes general comments thereon particularly with respect to the ultimate implementation of the Plan.

The Toronto Society Brief is by way of a letter of 4th June, 1976, to the Honourable the Treasurer reiterating the four goals of the Plan and in general support of those goals. The submission does point out that some changes in specific transportation and utility alignments could be altered to better satisfy those goals and the deficiency in width of the Parkway Belt in many areas. There is deep concern too for the visual effect of the 500kv Hydro line throughout the Parkway Belt.

Exhibits: 483 Brief, Hamilton Society

484 Brief, Toronto Society

Recommendation:

None.

Reasons:

Much of this submission contains proposals for land use controls beyond the jurisdiction of the Hearing Officers. The balance of the submission expresses strong support of the principles now set out in the Plan, and the concerns expressed have in our opinion been adequately covered by the specific policies of the Plan.

File Number: 300-74

Submission Number: 221

Counsel: Kenneth A. Hahn

Owner: Tony Sergo

Land (brief description): Part of Lot 15, Concession 7 E.H.S.

Brampton 1 acre ±

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

The owner herein wishes to develop this single parcel of about 1 acre into some commercial use within the Complementary Use Area of the Plan. The lands are presently occupied by a residential dwelling the location being immediately south of the 100 foot future utilities strip and 500kv Hydro right-of-way.

With the decision made with respect to the Imperial Oil property to the north on Airport Road whereby that company's property will be left intact, the corridors here could be moved to the south and the whole or a portion of these lands ultimately acquired. The relocation of the Malport Intermodal Terminal and the resulting increase in the use and importance of Airport Road in this area warrants in the view of the owner more commercial uses on this route and he desires to establish a restaurant on the site.

His course of action would probably be to apply for an amendment to the Parkway Belt Regulations to allow such use if in fact the lands were left in the Complementary Use designation and not purchased, or in the alternative, he requests that the uses in the area be expanded to allow his proposed redevelopment.

Exhibits: 485 Brief

486 Survey of Property

487 Plan of Expropriation

- 488 Communication from Planning Department
- 489 Excerpt from Official Plan and Map
- 490 Appendix 3 to Official Plan RE: Airport Road
- 491 Letter from T.E.I.A.
- 492 Letter from the Minister of Environment
- 493 Letter from Regional Municipality of Peel
- 494 Letter from Ministry of Transportation and Communications
- 495 Correspondence RE: Sergo Lands
- 496 Excerpt from By-law RE: Frontage requirements

Recommendation:

That the Plan be modified by deleting the whole of the property from the Design Area.

Reasons:

The Hearing Officers spent a great deal of time in considering the general area of the Parkway Belt between Torbram Road and the Public Open Space known as the Claireville Conservation Area. As a result of the seven submissions made within this area it became obvious that similar requests were being made in each case and the whole of the area had to be dealt with as a district rather than individual submissions being considered in isolation.

In certain of the submissions it was suggested agricultural uses could continue and that may well be possible. On the other hand some of the lands may be so fragmented and so located as to make such uses totally uneconomic.



A number of factors not necessarily in order of significance affected our thinking in this district.

1. The original proposal suggested for the location of the Malport Intermodal Terminal within the Parkway Belt north of the Malton Urban area.
2. The ultimate relocation of the Malport Terminal in the 7th Concession of Toronto Gore north of and outside of the Design Area.
3. The constraints with which the Province was confronted in connecting the various linear facilities across the Claireville Conservaiont area.
4. The basically fixed position of the 500kv right-of-way as recently confirmed by the Minister of Energy and the acquisition of lands for this purpose within this district.
5. The location proposed for the 100 foot future utilities strip, particularly in view of the trackage necessary from the CNR Toronto by-pass to the future Malport Terminal.
6. The policy decision made by Government to allow a major plant of Kraft Foods to occupy lands on part of the Complementary Use Area here at an industrial coverage of up to 25%.

It is the opinion of the Hearing Officers that with the proposed development allowed for Kraft Foods, the relocation of the Malport Terminal north of the Plan, and the fixed position of the 500kv right-of-way that the CNR is not a logical southerly hard edge to the Design Area in this location.

Elsewhere in this Report General recommendations have been made with respect to the realignment of the proposed future utilities strip.

File Number: 400-119

Submission Number: 222

Counsel: J. E. L. Ross

Owner: Sheridan Nurseries Ltd.

Land (brief description) Parts of Lots 1 - 5 inclusive, Concession 3  
S.D.S., Oakville, 160 acres  
(south of Royal Windsor Drive)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

The Company requests that its lands as now designated in the Complementary Use area of the Plan be deleted from the Parkway Belt and restored to their original M.1 and M.2 Industrial zoning or that adequate compensation in this case for down zoning be paid to the company should the property remain in the Belt. The major portion of the acreage has been used as a plant nursery for 40 years or more. About 50 acres was purchased from Wimpey in an exchange of property at high cost. They agree with the general aims and objectives of the Plan but submit that the costs of providing open space for the public good are being borne by individual owners such as themselves. It is not economic for the company to use the land for nursery purposes on a continuing basis considering its high value in an industrial zoning. To purchase other property in out-lying locations more suitable for the Company's purposes requires large capital expenditures in development, relocation of equipment, construction of new facilities, etc. The sale of these Industrially zoned lands is the only way to provide the money for such relocation in the future. It is stated that the Complementary Use permitted uses here are more restrictive than some other areas of the Plan.

Exhibit: 497 Brief

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

Elsewhere in this Report the Hearing Officers make General comments and recommendations on the area of the Mini-belt south of Royal Windsor Drive. Strong recommendations were made by this company as to the cost to the private owner of providing open space to achieve an alleged separator function for the public good. The property enjoys industrial zoning and with more restrictive uses applied to this Complementary Use area under the Plan it would be totally uneconomic for the nursery operation to obtain sufficient capital from a sale here to relocate in a more outlying area as is their ultimate intention.

File Number: 400-19

Submission Number: 223

Owner: G. J. Elder

Land (brief description): 688-102 Bronte Road, Oakville 6 acres  
(West side of Bronte Road, Highway 25  
south of Provincial Park and Q. E. W.)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The owner herein is desirous of establishing a small industrial plaza for storage warehouse uses and small business operations. He had operated a lumber business with varied uses on the lands and had commenced construction of the footings for new buildings when the proposed expansion of Bronte Creek Provincial Park to the south of Queen Elizabeth Highway caused him to stop construction due to impending acquisition. It now appears that plans for the Park expansion do not include the area of his property and he therefore requests exclusion from the Parkway Belt or extension of the uses to allow his proposed redevelopment. These lands are shown in the Plan for Public Open Space Park uses but this use appears no longer to be applicable here. The Bronte Road (Highway 25) is a major arterial street and development in the area is extensive although the proposed GO Transit Station on the east side has now been located elsewhere to the Third Line. There should ultimately be a grade separation at the C.N.R. crossing. The B.P. refinery is located across Bronte Creek to the south and west. Zoning prior to the Parkway Belt regulations was M2 and M3 and though there is some question as the uses made of the lands being in contravention of the Oakville By-Laws this does not really concern the Hearing Officers.

Recommendation:

That the Plan be modified by deleting from the Design Area that portion of the owner's land lying between Bronte Road and a line drawn 25 feet east of and parallel to the physical top of the east bank of the Bronte Creek.

Reasons:

The portion of the lands proposed to be excluded have been used for industrial purposes including open storage for many years. Their inclusion in the Plan as Public Open Space has not yet been justified to the Hearing Officers. The lands are part of a very large industrial area in the Town of Oakville and are not we believe suitable for parkland.

It is our opinion that the exclusion of this portion of the owner's land will not offend any of the objectives of the Plan in this area.



Agent: Alfred Gretzinger

Owner: Adolf Wolski

Land (brief description) : Part Lot 24, Concession 2

West Flamborough (Dundas)

Patterson Road

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

This property is shown in the Plan as Public Use Area and for ultimate acquisition. The request herein is for permission for the owner and his brother to be allowed to construct two residential dwellings on the lands. Details of previous requests and applications for the use prior to the Parkway Belt Plan were given and the history of the attempts at development set out. Under the Plan of course no development of this nature would ordinarily be allowed due to the prospect of future purchase by the Province.

Exhibit: 298 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

This property has been designated as part of the Niagara Escarpment Public Open Space area and physically forms part of the face of the escarpment. It is intended that these lands will be taken by the Province and this Report will deal later with a recommendation regarding the staging of the acquisition of designated public lands. We are not prepared to recommend an exemption to the Regulations to permit building on this land.



File Number: 400-120

Submission Number: 225

Counsel: G. M. Pyne

Owners: (1) Stellar Construction Enterprises Ltd.

(2) G. Pyne et al

Land (brief description): Part Lots 3 and 5, Concession 1, S.D.S.

Oakville (1) 50 acres (2) 49 acres

(Ninth Line and Highway 5 area)

Parkway Belt Location: Oakville-Mississauga Mini-belt, Map 7

Summary of Submission:

There are two separate properties involved in this submission, both south of Dundas Street (Highway 5), the easterly lands being only partly within the Design Area and affected by the proposed Hydro transmission right-of-way. A portion of this property out of the Parkway Belt has been released from the Regulations. Evidence indicated that the costs to the various investors in the Company are quite high from year to year to maintain the Company's ownership by way of mortgage payments taxes and maintenance. No sale of either parcel is now possible due to the Parkway Belt Plan. The owners propose a relocation for the Hydro line as proposed by others in the area, e.g. Cadillac Fairview (file no. 400-51) and 281990 Ontario Limited (file no. 400-1). The lands should be purchased by the Province in total at an early date or the alignment of linear facilities changed so the properties can be released and allowed to develop.

Exhibits: 499 Sketch of Lands

500 Letter from the Ministry of Housing (9th February, 1976)

501 Excerpts from Submission on File No. 400-1, 281990

Ontario Limited

502 Financial Statement of Carrying Charges

Recommendation:

1. Part lot 3, Concession 1, S.D.S.

That the Plan be modified by deleting the whole of the lands of the owner from the Design Area.

2. Part lot 5, Concession 1, S.D.S.

That the Plan be accepted as it relates to these lands.

Reasons:

Property 1

It is the opinion of the Hearing Officers that in accordance with this and other submissions made in the general area there is no justification for the location of the Hydro right-of-way east of the Highway 403/Queen Elizabeth Way connecting link. In order to provide consistency in our recommendations these lands are excluded from the Parkway Belt since the Hydro right-of-way should ultimately be located west of the above mentioned Highway connector in this area.

Property 2

This property is presently designated Complementary Use in the Plan. Located as it is, west of the Highway 403/Queen Elizabeth Way link such lands must be included in the Mini-belt to accomplish the goals and objectives as set out in the Plan. It may be that with the relocation of the Hydro right-of-way as recommended a portion of the lands herein may have to be acquired for that purpose.

File Number: 400-35

Submission Number: 226

Counsel: Roger T. Beaman

Owners: V. Solnicki and V. Agnelli

(Oak Harbour Developments)

Land (brief description): Lot 13, Concession 1, N.D.S.

Burlington 206 acres

(South side of No. 1 Sideroad)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

This acreage was purchased by a group in 1969 for ultimate development. Services were later to become available and the Official Plan as approved showed a portion of the lands as a district centre. Both residential and commercial uses were planned by the owners for the ultimate use of the property. The district centre designation was removed subsequent to the Parkway Belt Plan of 1973.

The submission presents a proposed plan for development of the property whereby the northerly wooded lands be acquired by the Province for Public Open Space with access off the No. 1 Sideroad frontage. The southeasterly corner of the property should be acquired by the Province immediately for the Highway 403 and 100 foot utilities corridor with access to the remaining acreage provided. This remnant parcel now shown as Complementary Use Area could then be developed in reasonably low density housing uses or in the alternative as a cemetery as now proposed by the owners and for which certain assurances as to use have already been expressed. The submission requests that cemeteries not be excluded as a permitted use under the Complementary Use classification.

Exhibits: 503 Brief

504 Proposed Development Plan

505 Study Plan

506 Proposed Partial Site Plan

Recommendation:

That the Plan be accepted for this property.

Reasons:

We are of the opinion that no purchase should be made by the Province of the wooded area at the north limit of the lands as Public Open Space within the Plan has been adequately provided for.

Though the establishment of estate lot development, or institutional uses designed towards outdoor recreation may have merit in certain Complementary Use Areas of the Plan, at the present time there is no apparent conflict between the Plan and the City of Burlington Official Plan because the Burlington Urban Service Area has its northern boundary at proposed Highway 403. Although there was an indication given that long range planning would provide for possible urban development in the area north of proposed Highway 403, we are of the opinion this is some considerable time away. The Ontario Planning and Development Act provides by Section 14 for five-year reviews of the Plan.

The Hearing Officers are aware of the existing strip development along No. 1 Sideroad and believe such is undesirable. In this area the preservation of agriculture and woodlots deserves support.

It would appear that the requested Cemetery use is already permitted in this area under the Plan. Reference should also be made to our General recommendations elsewhere in this Report.

File Number: 400-114

Submission Number: 227

Counsel: A. E. Kozak

Owners: Olga Kozak and Stephanie Radjick

Land (brief description): Part north  $\frac{1}{2}$  of Lot 13, Concession 4

Milton (West of Milton Station) 75 acres

Parkway Belt Location: Northern Link, Map 4

Summary of Submission:

At the time of the imposition of the Parkway Belt Plan this property was zoned Industrial. The original purchase by the owners and others involved 100 acres and subsequently 25 acres were sold to the Halton Board of Education for school purposes with frontage on the Third Line. There is a community arena on the school property a portion of which is rented to Milton for that purpose.

Full details of water supply and servicing by sanitary and storm sewers are included in the Brief. Under the Parkway Belt Plan the land is shown Complementary Use. The submission supports that of Shipp and all adjoining property in this area requesting exclusion of the lands from the Parkway Belt Design Area, the reason given being its development potential and considering that the objects of the Plan would not be jeopardized by this area's addition to development in the existing built-up area of Milton. In the alternative the whole of the property should be purchased by the Province or compensation paid for the serious devaluation by down zoning in this case.

Exhibit: 507 Brief

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.



## Reasons:

The Hearing Officers have found it necessary to deal with this submission in connection with a group of submissions, five in all, which represent a combined large area of Complementary Use lands immediately east of the built up area at Milton. The whole of this area is bordered on the south by Derry Road, on the north by Highway 401, on the east by Milton Station and the Fourth Line, and on the west by the Third Line, sometimes known as Thompson Road. It is to be noted that Map 6 within the Draft Plan is considerably outdated in its illustration of the built up area at Milton and that the aerial photographs (Exhibits 325 and 326) show in more detail that Milton built up area which presently exists to the Third Line.

Representations made to us were similar in nature by all those owners in this area, and are set out in detail in the summary of submission above. In most cases we were advised of the development potential and in some cases the monies already expended towards that possibility. We are fully aware of government policy as enunciated by the Toronto-Centred Region Study, and note the particular statement of March 1976 (Toronto-Centred Region Program Statement) in which the Government reaffirms that concept as follows:

"In considering these events of the past five years, the Government has concluded that the basic TCR policy continues to be sound and workable, but that it should be adjusted to reflect the conditions of 1976. At this stage, the Government reaffirms its commitment to the Toronto-Centred Region concept as the basis of its policy for managing growth and development in this region, and will continue to move vigorously in putting the policy into effect."

Considering the above statement and paying particular attention to the strong representations by the owners in this area, along with the Town of Milton itself, and noting as well the urbanization presently existing west of the Third Line, together with the municipal ownership east of that road, we are of the opinion that none of the goals and objectives of the Plan would be jeopardized by our recommendation herein.

The properties if developed at all will do so under the control of the municipality, the Region, and as is always the case to some extent the Province.

The changing conditions in this area and the maintenance of the integrity of the Parkway Belt Plan as part of the Toronto-Centred Region concept have resulted in our recommendation.

File Number: 400-42

Submission Number: 228

Counsel: Paul Basso

Owner: Watergate Investments Ltd.

Land (brief description): Part Lots 11 and 12, Concession 3

Flamborough 39.8 acres

(West of Waterdown on Highway 5)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

This property is part of a 69 acre parcel located on the south side of Highway 5, the southerly portion of which (39.8 acres) is in the Plan's Public Open Space designation of the Escarpment. The concern expressed is the reduced opportunities for development of these residential lands due to the proposed acquisition of the table land from the face of the existing quarry in the north-east corner of Lot 12. The owner wishes the Design Area to be modified to conform to the quarry face more in conformity with the contours of the face limits without including developable table lands. The Provincial Panel agrees in this instance that the interpretive description in the Parkway Belt Plan may not extend as far as 300 feet of table land and the top of the Quarry or face may be a proper limit to be chosen in this instance. The remaining lands would be purchased by the Province in accordance with any realignment of the Open Space boundary here and the submission requests this acquisition be undertaken and the matter finalized as soon as possible.

Exhibits: 508 Brief

509 Contour Map (Lot 12)

Recommendation:

That the Plan be accepted for this property.

Reasons:

Scenically the Escarpment Link is unique and special care must be taken to protect its beautiful natural features. These lands are to be acquired by the Province and it is hoped with the general recommendations as to the staging of acquisition contained elsewhere in this Report any hardship to the owner will be minimized.

Any alteration in the boundary line of the Belt affecting this property can be achieved under Section 4.2.2. of the Plan if acceptable.

File Number: 400-113

Submission Number: 229

Owner: Mrs. P. Ferrier

Land (brief description): Part Lot 8, Concession 3

Milton 20 acres ±

(Highway 25 at Oakville Creek)

Parkway Belt Location: Burlington-Oakville Mini-belt

Summary of Submission:

This owner is opposed to the inclusion of her lands in the Design Area whereby her holding will be severed by a Public Use Area in the Oakville Creek valley; the remaining two parts being left in the Complementary Use designation.

She has spent considerable funds on the renovation of the property for improvement to the house, barn and fencing, the premises being located on the east side of the Creek and the Plan therefore separating the dwelling from access off Highway 25 through the public area proposed in the Plan. If the Government wishes the Creek valley, the submission is that they should purchase the whole property or otherwise exclude it as property on the west side of Highway 25 is left out. The owner farms the land and adjoining property some 160 acres in total. The water supply for the house and barn comes from the Creek and her cattle operation necessitates access as well.

Exhibit: Nil

Recommendation:

That the Plan be modified by changing the designation of the Public Open Space for these lands to Complementary Use.

Reasons:

This active farm property is severed by the Public Open Space designation in the Plan surrounding the Oakville Creek Valley.

In the best interest of the agricultural use public access to the creek valley at this point should be restricted. The Complementary Use designation on the whole of the lands will in our opinion achieve the goals and objectives of the Plan and particularly the preservation of the agricultural uses in this area.



File Number: 400-115

Submission Number: 230

Owner: Mrs. Phyllis McKim

Land (brief description): Lot 67 being part of Lot 2, 3, 25 and 26

Concession 4, S. D. S. 1 acre ±

Oakville (west of 12 mile Creek Parkette)

Parkway Belt Location: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

The owner appeared on her own behalf and for owners of other properties in the area faced with the same problems. The submission is that the Parkway Belt Design Area in this location should show the boundary of the Creek Valley as being at the foot of the bank where the marshland ends. A fence should be erected by the Province for the protection and security of the residents. Unless a relocation of the line is undertaken, properties and houses in this subdivision will be very injuriously affected. The owner hopes the Province will deal with lands they acquire just as the owners have treated them and maintain the Public Open Space properly to safeguard the privacy enjoyed now by residents.

Exhibits: 510 Brief

511 Brief RE: Lot 68

Recommendation:

That the Plan be modified by deleting a portion of the land in this area to establish the eastern limit of the Design Area to be coincident with the bottom of the bank through lots 63 to 68 inclusive as shown on Registered Plan M-9 entered as part of Exhibit 510.

Reasons:

The Public Open Space proposal for this area under the Plan would include the rear yard, parts of some main dwelling houses and outbuildings. These properties are physically separated into two well defined levels by a difference in elevation of approximately 40 feet, the upper level containing the residences, and the lower level being essentially a

marsh area adjoining Bronte Creek.

Though the actual limit of the Design Area may be flexible under Section 4.2.2 of the Plan, it is the opinion of the Hearing Officers that the upper level of the subject properties should be excluded from the Plan.

File Number: 300-55

Submission Number: 231

Counsel: Miss L.C. Brown

Owner: Dell Holdings Limited

Land (brief description): Parts of Lots 6 and 7, Range E4, N.D.S.

Mississauga 23 acres and

Concession 2, N.D.S.

Mississauga 4.608 acres

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

Both parcels of land herein are affected by the location of the Southern Link of the Parkway Belt. The westerly 23 acres lie south of the Hydro transmission corridor and transit reserve immediately east of the C.P.R. The 23 acres in the Design Area are designated Public Use, the original parcel purchased in 1966 being some 65 acres in size. The portion of this property outside the Design Area is restricted by the Ministerial Regulations imposed in 1973 in the Planning Area of the Parkway Belt and this property has not yet been released.

The second parcel of some 4.6 acres fronts on Rockwood Road east of Dixie Road. The lands were purchased in 1967 for residential development and are zoned R4 for single family use under Mississauga By-Law 5500. This entire parcel will be required under the present proposals of the Parkway Belt, the property being located within the alignment of the 200 foot arterial road and 100 foot transit strip in the Design Area of the Plan.

The Submission does not suggest alteration of the Parkway Belt boundaries or exclusion of the lands. The request is that the property required within the Plan should be purchased by the Province immediately upon the final Design Area being established, or released from the Regulations

where that course is warranted in order that the owner may be relieved of the hardship of carrying the property with no prospect of development.

Exhibit: 512 Brief

Recommendation:

That the Plan be accepted for these two properties.

Reasons:

These portions of property required for public use are to be acquired in this area and the Hearing Officers have made General recommendations on the staging of such acquisition elsewhere in this Report.

With respect to the portion of the submission dealing with the request for the release of land from the Regulations reference should be made to General recommendations elsewhere in this report.

File Number: 400-117

Submission Number: 232

Counsel: F. David Thompson

Owner: Taltosh Developments Ltd.

Land (brief description): Part of Lot 10, Concession 4

New Survey, Oakville 75 acres

(Milton Area south side of Derry Road)

Parkway Belt Sector: Burlington-Oakville Mini-belt, Map 6

Summary of Submission:

This acreage is located south of Milton on the west side of the Fourth Line. The lands were purchased in 1969, 25 acres having been severed and disposed of in 1972. Dr. Gregory Jarvis the principal owner of the company wishes to build on the remaining 75 acres for residential purposes only as the existing house, tenant occupied, is totally unsuitable for his use and cannot be renovated to meet his requirements as a dwelling. Some consideration as well was given to erecting premises for laboratory work on the parcel for his wife, a doctor as well.

The property has been farmed since the time of purchase but this has proven to be a losing proposition for the owner. The parcel is shown in the Plan in Complementary Use and the submission is that construction of the residential premises notwithstanding the existing old farm house presently standing on the acreage would not defeat the goals and objectives of the Plan in this Link. This acreage on the evidence cannot be an economically viable agricultural unit but can produce some income if the principals live on the farm rather than having it tenant-occupied. An exception should be made here or the permitted uses amended to allow the owners to build and provide proper supervision to the farm operation.

Exhibit: 513 Brief

Recommendation:

That the Plan be accepted for this property.

Reasons:

The broad band of Complementary Uses in this section of the Belt provides for the maintenance of the agricultural and rural character of the area and the broad separator between Milton East and Milton West Future Urban Areas.

The urbanization of this area is premature in the opinion of the Town of Milton submission and the Hearing Officers agree. The Official Plan and Zoning By-Law show the property as agricultural

Elsewhere in this Report we have made general recommendations as to the permitted uses allowed in the Complementary Use Area.



File Number: 400-121

Submission Number: 233 (written only)

Owner: Sarah Bleakney

Land (brief description): 358 Old Guelph Road, Dundas

Part Lot 26, Concession 2 1 acre ±

(Old Guelph Road west of Highway 6)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

The basis of this submission is for a severance of the subject property to allow the development of an additional residence on the severed parcel. Such was obtained prior to the Parkway Belt Regulations but lapsed after not being conveyed. The property is in a Complementary Use designation in the Plan and accordingly Section 5.3.3 (a)(v) would prevent such use in this case.

Exhibit: 516 Brief

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

It has been pointed out that the Hearing Officers have no jurisdiction as to the provision of services within the Design Area. This property however is a part of the whole Pleasantview Study Area. The action taken by the Hearing Officers in connection with Submission 88 and others in deleting the Complementary Use Area here and the reasons therefore will allow the owner to make application through the usual channels for the relief sought. Reference should also be made to our General recommendations elsewhere in this Report.

File Number: 400-122

Submission Number: 234 (written only)

Owners: Mr. and Mrs. Brian Passow

Land (brief description): 129 Parkview Avenue, Dundas 1 acre ±  
(South of Pleasantview Area  
West of Old Guelph Road)

Parkway Belt Location: Escarpment Link, Map 2

Summary of Submission:

These residents are included in the Complementary Use Area of the Plan north of the 100 foot future utilities strip and west of Old Guelph Road. The thrust of the submission is for the provision of municipal water service to the dwelling. There is an impression on the part of the owners that the Parkway Belt Plan by restricting development in the area has prevented the extension of such service to their area. Accordingly they request water service be provided or that they be excluded from the Plan so that the area will develop thereby necessitating such extension.

Exhibit: 517 Brief by Letter

Recommendation:

That the Plan be modified by deleting this property from the Design Area.

Reasons:

This property is a part of the whole Pleasantview Study Area and the submission before us requested the provision of municipal water service to this private dwelling. The action taken by the Hearing Officers in connection with Submission No. 88 and others in deleting the Complementary Use Area here and the reasons therefore should make possible at some future time the relief sought. Reference should also be made to the General recommendations elsewhere in this Report.

File Number: 500-44

Submission Number: 235 (written only)

Owner: J.R. Gainor

Land (brief description): Part Lot 25, Concession 1

Vaughan 1 acre ±

(Thornhill, 112 Westwood Lane)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission in writing is like the several others in this area (e.g. 184, 195, 196, and 197) and involves the exact location of the Parkway Belt Design Area boundary to the rear of the residential property herein. The request is that the boundary be moved westerly to a contour line shown on the accompanying map so the Public Use Area will avoid a stand of trees on the owner's lands. There is no objection made to the inclusion of the river valley and flood plain in the Plan.

Exhibit: 518 Brief by Letter

Recommendation:

That the Plan be modified by deleting the whole of these lands from the Design Area.

Reasons:

This submission along with four others in this general high quality residential area requested the Hearing Officers to redefine the Design Area boundary of the Public Open Space to the rear of the property. On the evidence it has been demonstrated to the Hearing Officers that all the owners in this area have maintained the open space character and aesthetic appearance of the rear yard to the benefit of the creek valley.

Since the Design Area boundary in this location is uncertain, considerable anxiety has been caused to these owners as to the ultimate acquisition for public purposes of some portion of the rear of their lands. They are also concerned with the security by fencing or otherwise of the portion of these properties that will be left out of the Plan. It is the opinion of the Hearing Officers that there is no justification for the inclusion of this property or the neighbouring lands to accomplish the goals and objectives of the Plan. Land to the south and west of this area has already been purchased by the Province and in accordance with the Plan additional property will be acquired sufficient for the use of the public in this district.

File Number: 500-66

Submission Number: 236

Counsel: M.R. Kestenberg

Owner: Cadillac Fairview Corporation Ltd.

Land (brief description): Part of Lot 40, Concession 1

Etobicoke 6 acres

(Block B, Plan M1635)

(east of Martin Grove Road, west of Kipling  
Avenue)

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission deals with property of the Company located outside the Parkway Belt Design Area. The Municipality of Etobicoke had prior to the Chadwill Coal case made a representation to include the land within the Belt. The submission herein merely requests the retention of the Parkway Belt boundary in this area thereby leaving the Company's land out of the Design Area.

Recommendation:

None.

Reasons:

The Hearing Officers have no jurisdiction on lands outside the Design Area. See Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 400-118

Submission Number: 237

Agent: Gary Brown

Group: Etobicoke-Mississauga Parkway Belt Association

Land (brief description): West of Etobicoke Creek, North of  
Burnhamthorpe Road, General

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

This Association supports in principle the Parkway Belt concept and presents a very detailed brief (Exhibit 519) setting out the concepts which the group favours and the varying interests served. They overwhelmingly support the Parkway Belt boundaries in the area of Centennial Park and Etobicoke Creek Public Open Space Area to the east and Dixie Road to the west. They urge the retention of the lands as set out in the Parkway Belt Design Area and are opposed to the release of any property as has been requested, e.g. W. B. Sullivan Construction Ltd./Morenish Land Development and Kidlark/Valentine Development.

Exhibit: 519 Brief

Recommendation:

None

Reasons:

This is a general submission which is in support of the Parkway Belt Concept as set out in the Draft Plan and in particular the boundaries of the Design Area are of special interest to them. The Hearing Officers have made recommendations and provided reasons therefore in connection with individual property owners from this district. Reference should be made to those recommendations and reasons set out in submissions no's 23 and 206.



File Number: 300-80

Submission Number: 238

Owner: D. Hoerz

Land (brief description): Mississauga General, Highway 403 Alignment

Parkway Belt Location: Southern Link, Map 3

Summary of Submission:

The submission deals wholly with the proposed alignment of future Highway 403 in the Mississauga Area and the sharp turn from the Oakville North/South Link and the corner onto future Highway 410 in the Airport Mini-belt. Mr. Hoerz was consistently reminded that the Hearing Officers could not hear representations as to alignments outside the Design Area. Accordingly the basic submission is dissatisfaction with the existing alignment of the Belt between Burnhamthorpe and Eglinton.

Recommendation:

None

Reasons:

We cannot consider alternate routes for linear facilities outside the Design Area.

The Hearing Officers have no jurisdiction, (lands outside the Design Area), see Divisional Court decision on Chadwill Coal Company Limited et al and McCrae et al.

File Number: 500-69

Submission Number: 239 (written only)

Owners: J.R. McLennan, et al

Land (brief description): Uplands Golf Course  
Thornhill

Parkway Belt Location: Northern Link, Map 5

Summary of Submission:

This submission in writing takes the form of a petition to the Hearing Officers. The group of Thornhill residents oppose certain aspects of the brief as submitted on behalf of Bond Street Investments Ltd. and others (Exhibit 424) and in particular the request therein for the removal of Uplands Golf Course from the Design Area of the Parkway Belt. They are concerned about the energy crisis and the retention of recreational lands close to urban development.

Exhibit: 525 Brief

Recommendation:

None

Reasons:

The Plan provides under specific policies Section 6.4.3(j) encouragement for the continued operation of existing golf courses. Any ultimate development which may be proposed would be subject to the usual Municipal and Provincial controls and on the evidence presented by the owners of this golf course we see no justification for its inclusion within the Design Area.

Reference should be made to our Recommendation and the detailed Reasons set out in Submission 178.

File Number: 400-101

Submission Number: 240 (written only)

Counsel: R.K. Webb, Q.C.

Owner: Arthur Iamarino et al

Land (brief description): (1) Part of Lot 14, Concession 6

Milton 120 acres

(south of Highway 401, east of Fifth Line)

(2) Part of West ½'s of Lots 14 and 15,

Concession 3, W.H.S.

Brampton 53.1 acres

Parkway Belt Location: Northern Link, Map 4

#### Summary of Submission:

- (1) The subject property was acquired by the present owners in 1971 for development as a golf course and compatible uses. The property is suitable for such purpose including tennis club and campground.

This submission refers specifically to the uses proposed in this section of the Parkway Belt for lands in a Complementary Use designation. These uses are not extended above basic Agricultural, Public, Residential and existing uses as is the case in other sections and accordingly the owners are prohibited from proceeding with their proposal. Such uses in other sections should be allowed and the brief states that there is no justification for the additional restrictive uses here. If such are not extended the lands (other than the 50 feet for widening the 401 right-of-way) should be excluded.

- (2) The subject property is an irregularly shaped parcel in the Village of Churchville, consisting of 53.1 acres and containing a house and farm buildings. The property has been designated Complementary Use Area in the Plan. It is submitted that there is no justification for including this land in the Plan and that the inclusion of the

land would not assist the policies and objectives of the Plan.

Exhibit: 527(a) and (b) Parts 1 and 2

Recommendation: (Part 1)

That the Plan be modified by deleting from the text Specific Policy 6.3.3(n).

Reasons:

This is a Complementary Use Area where the requested uses are not permitted. We have received many submissions from owners of existing golf courses requesting exclusion of their lands in the areas designated by the Province for such. We have here an owner who is willing to comply with the requirement of the Complementary Use Areas as a whole and is precluded from doing so because of the more stringent restrictions affecting the Complementary Use Area wherein he is located, as set out in Section 6.3.3(n).

In our opinion what is contemplated will complement the Belt as a whole and will not prejudice the goals and objectives of the Plan. It is to be noted that this land was purchased for this purpose, and considerable monies have been expended up to this time with architectural and planning consultants in bringing the owner's intention to fruition.

Elsewhere in this Report General Recommendations are made with respect to permitted uses within Complementary Use Areas of the Plan.

Recommendation: (Part 2)

That the Plan be modified by deleting the whole of the lands from the Design Area.

Reasons:

In the opinion of the Hearing Officers the alleged hard edge of the Parkway Belt in this location being formed in part by the CPR right-of-way is not significant or justified. The Credit River Meadowvale Public Open Space area is adequately protected without the inclusion of this Complementary Use designation. Our recommendation takes into consideration that the subject lands in fact abut the street pattern and built-up area of Churchville as it now exists. The inclusion of this property would add nothing to the goals or objectives of the Plan.

Reference should also be made to our Recommendations and Reasons in connection with Submission 62 and General Recommendations elsewhere in this Report with respect to the Complementary Use designation in this area.

The Parkway Belt Planning and Development Act,  
S.O. 1973, c. 53 as amended.

The Ontario Planning and Development Act,  
S.O. 1973, c. 51, as amended.

IN THE MATTER OF:

Hearings in respect of the proposed development  
plan for the Parkway Belt West development  
planning area.

Pursuant to section 6 of The Ontario Planning and Development  
Act, S.O. 1973, c. 51, as re-enacted by S.O. 1974, c. 50, I  
hereby appoint A.L. McCrae as chief hearing officer together  
with W. E. Dyer, Q.C. and A. B. Ball as hearing officers, for  
the purpose of conducting one or more hearings for receiving  
representations respecting the contents of the proposed Parkway  
Belt West Plan, and, not more than 3 months after the last  
hearing held, to report to me a summary of the representations  
made together with a report stating whether the plan should be  
accepted, rejected or modified.



TREASURER OF ONTARIO AND  
MINISTER OF ECONOMICS AND  
INTERGOVERNMENTAL AFFAIRS.

Dated at Toronto  
this 10 day of  
February, 1976.



Advertising to publicize the Parkway Belt West Hearing was placed in the following newspapers:

Ancaster News  
Bramalea Guardian  
Brampton Daily Times  
Burlington Gazette  
Burlington Post  
Dundas Star  
Dundas Valley Journal  
Etobicoke Gazette  
Etobicoke Guardian  
Hamilton Spectator  
Malton Pilot  
Markham Economist & Sun  
Milton Canadian Champion  
Mississauga News  
Mississauga Times  
North York Mirror  
Oakville Beaver  
Oakville Journal Record  
Richmond Hill Liberal  
Streetsville Booster  
Toronto Daily Star  
Toronto Globe & Mail  
Waterdown Review  
Woodbridge Advertiser  
Woodbridge Town of Vaughan Weekly  
Woodbridge - Vaughan News

# Notice of Hearing

TAKE NOTICE that the public hearing concerning the proposed development plan for Parkway Belt West as provided by section 6 of The Ontario Planning and Development Act, 1973, will commence on

**Monday, the 3rd day of May, 1976, at 10:00 in the forenoon at THE WOODBRIDGE MEMORIAL ARENA in WOODBRIDGE, ONTARIO.**

AND TAKE NOTICE that any person desiring to make representations respecting the contents of the plan may file with the Secretary notice in writing to that effect, including in such notice the full name and address of such person, or complete and return the form below not later than April 5, 1976.

The proposed development plan does not address itself to the question of individual claims for compensation and accordingly these should not be the subject of representations made.

It is intended that the initial stage of the hearing in Woodbridge will deal with general issues concerning the Parkway Belt West as a whole, not how the proposed plan affects specific parcels of land. Subsequent stages of the hearing will deal with issues in specific sections of the Parkway Belt West and will be held at several locations in or near the planning area. It is expected that these hearings will be held in the Burlington-Oakville area and the Markham-Vaughan area. Notice of these times and places will be published in advance of such hearings and will also be mailed to persons who have indicated their intention to make representations or submit questions concerning the plan.

Any persons may make representations concerning the proposed development plan at this hearing. In order to assist all parties in scheduling their participation at the hearing, persons desiring to make representations or submit questions concerning the plan are encouraged to provide a written copy of their submissions, or

provide a brief statement of their interest in the proposed development plan, indicating whether or not such person will be represented by legal counsel and whether such person wishes to call witnesses at the hearing.

If you wish further information, you are invited to contact the Parkway Belt Secretary, 6th floor, 123 Edward Street, Toronto. Telephone 965-5675.

**If you are interested in participating in the hearing, please complete this form and mail it to:**

Parkway Belt  
Secretary, 6th floor,  
123 Edward Street,  
Toronto, Ontario  
M5G 1E5

NAME: \_\_\_\_\_  
(please print)

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO.: \_\_\_\_\_

I am interested in the general  
issues concerning the Parkway Belt. ☐

I am interested in issues in the  
following specific section of the  
Parkway Belt: \_\_\_\_\_  
\_\_\_\_\_



Ontario

Ministry of Treasury  
Economics and  
Intergovernmental  
Affairs

Dated at Toronto this 5  
day of March, 1976.

A. L. McCrae  
Chief Hearing Officer

A. B. Ball  
Hearing Officer

W. F. Dyer, Q.C.  
Hearing Officer

**Notice of Hearing**

**Parkway Belt West  
Public Hearing**

**Sector #1 (Woodbridge)**

Take notice that the public hearing for the Woodbridge Sector #1 (bounded on the east by Hwy. 400, on west Northern Link by 10th Line West, and on Southern Link by Erin Mills Parkway) will commence on

**Tuesday, the 25th day of May, 1976, at 10:00 in the forenoon at the Woodbridge Memorial Arena, corner of Islington Ave. and Highway 7, in Woodbridge, Ontario following the completion of the general part of the hearing now proceeding at the same location.**

Any person may make representation concerning the proposed development plan as it affects the Woodbridge Sector, or specific properties therein. Time for the making of presentations has been allocated first to those persons answering the original notice of hearing dated March 5, 1976.

You are invited to contact W. E. Bullock, Parkway Belt Secretary, 6th floor, 123 Edward Street, Toronto, telephone 965-5675, who will arrange a specific time for presentation.



Ontario

Ministry of Treasury  
Economics and  
Intergovernmental  
Affairs

A. L. McCrae  
Chief Hearing Officer

A. B. Ball  
Hearing Officer

W. E. Dyer, O.C.  
Hearing Officer

**Notice of Hearing**

**Parkway Belt West  
Public Hearing**

**Sector #2 (Oakville-Burlington-Dundas)**

Take notice that the public hearing for the Oakville-Burlington-Dundas Sector #2 (bounded on the east on the Northern Link from 10th Line West westerly to 3rd Line Town of Milton; on the east on the Southern Link from Erin Mills Parkway westerly to its junction with the Escarpment Link, the entire Escarpment Link, the entire Oakville-Mississauga Mini Belt, and the entire Burlington-Oakville Mini-Belt) will commence on

**Monday, the 5th day of July, 1976, at 10:00 in the forenoon at the Oakville Arena, 133 Rebecca Street, Oakville, Ontario following the completion of the Woodbridge Sector part of the hearing now proceeding at the Woodbridge Arena, corner of Islington Ave. and Highway 7 in Woodbridge.**

Any person may make representation concerning the proposed development plan as it affects the Oakville-Burlington-Dundas Sector, or specific property therein. Time for the making of presentations has been allocated first to those persons answering the original notice of hearing dated March 5, 1976.

You are invited to contact W. E. Bullock, Parkway Belt Secretary, 6th floor, 123 Edward Street, Toronto, telephone 965-5675, who will arrange a specific time for presentation.



Ministry of Treasury  
Economics and  
Intergovernmental  
Affairs

A. L. McCrae  
Chief Hearing Officer

A. B. Ball  
Hearing Officer

S. F. Dyer, O.C.  
Hearing Officer

## Notice of Hearing

# Parkway Belt West

## Sector #3 (Markham-Vaughan)

Take notice that the public hearing for the Markham-Vaughan Sector #3 (bounded on the east by Hwy. 48, on the west Northern Link by Hwy. 400) will commence on

**Tuesday, 7th day of September, 1976 at 10:00 in the forenoon at the Thornhill Community Centre, 7755 Bayview Avenue (at John Street) in the Town of Markham.**

Any person may make representation concerning the proposed development plan as it affects the Markham-Vaughan Sector, or specific properties therein. Time for the making of presentations has been allocated first to those persons answering the original notice of hearing dated March 5, 1976.

You are invited to contact W. E. Bullock, Parkway Belt Secretary, 7th Floor, 180 Dundas Street West, TORONTO M5G 1Z8; telephone 965-5675, who will arrange a specific time for presentation.



Ontario

Ministry of Treasury  
Economics and  
Intergovernmental  
Affairs

A.L. McCree  
Chief Hearing Officer

A.B. Ball  
Hearing Officer

W.E. Dyer, O.C.  
Hearing Officer



## RULES OF PROCEDURE

The following rules of procedure are established for the conduct of the hearing, pursuant to Section 6(5) of The Ontario Planning and Development Act, 1973.

1. Representations made concerning the proposed development plan at the hearing may be made orally or in writing and will not be made under oath or affirmation.
2. Representations and documents submitted to the hearing officers may be received in their discretion provided they are relevant to the subject matter of the hearing.
3. Representations may be made in person, but if persons wish to retain counsel or agents to represent them, they may do so.
4. The initial stage of the hearing will be held at The Woodbridge Memorial Arena in Woodbridge, Ontario and will involve the presentation of the proposed development plan by the Minister's representatives. Questions may then be asked of the Minister's representatives dealing with issues concerning the Parkway Belt West Draft Plan as a whole, and following this, representations dealing with the proposed plan as a whole will be received from any person desiring to do so.
5. Subsequent stages of the hearing will deal with issues in specific sections of Parkway Belt West and will be held at several locations in the planning area or in the general proximity thereof. Notice of the dates, times and places will be published in advance. Notice will also be mailed to persons who have indicated their intention to make representations or submit questions concerning the proposed plan.



6. There will be no questions by representatives of the Minister following representations concerning the proposed plan.

The hearing officers, however, may ask questions of persons who have made such representations or who have presented the proposed plan.

7. Following all representations, those who presented the proposed plan may deliver a summary of their presentation of it.



Ontario

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A. L. McCrae

Chief Hearing Officer

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A. B. Ball

Hearing Officer

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W. E. Dyer, Q.C.

Hearing Officer

## LIST OF SUBMISSIONS

Submission Number	Property Owner	Date of Submission		File Number
1	Lido Golf Centre	May	10	200- 1
2	Bayshire Investments Ltd.	May	11	200- 6
3	Toronto Real Estate Board	May	11	200- 7
4	Runnymede Development Corpn. Ltd.	May	11	200- 8
5	Double "K" Farms Ltd.	May	11	200- 16
6	Regional Municipality of Halton	May	11	200- 18
7	Ratepayers Ward 5, City of Mississauga	May	12	200- 14
8	Sheridan Hills Developments Ltd.	May	12	200- 13
9	Wimpey Homes Ltd.	May	13	200- 15
10	Runnymede Development Corpn. Ltd.	May	17	200- 8
11	Cadillac Fairview Corporation Ltd.	May	18	200- 17
12	S.B. McLaughlin Associates Ltd.	May	19	200- 19
13	Costain Estates Ltd.	May	19	200- 20
	Torva Holdings			
14	Milani & Milani, Uplands Golf Course et al	May	19	200- 21
15	Chadwill Coal Company Limited	May	31	300- 1
16	J.W. Beaton	May	31	300- 3
17	N.H. Solmon	May	31	300- 5
18	H.M. Pollit	May	31	300- 8
19	Chadwill Coal Company Limited	June	1	300- 11
20	Enterprising Developments Ltd. et al	June	1	300- 2
21	Regional Municipality of Peel	June	1	300- 67
22	H.M. O'Neil	June	1	300- 9
23	Valentine Developments	June	1	300- 10
24	Algonquin Building Credits Ltd.	June	1	300- 12

Submission Number	Property Owner	Date of Submission		File Number
25	Cape Horn Ltd.	June	2	300- 14
26	Paramount Development Corpn. Ltd.	June	2	300- 66
27	Glen Ash Developments	June	2	300- 13
28	Markpal Holdings Ltd.	June	2	300- 15
29	Tuscany Developments Ltd.	June	3	300- 21
30	W.M. Bebluk	June	3	300- 54
31	Malton Resistance Group Inc.	June	3	300- 57
32	M. Vaters	June	3	No File
33	D. Busby	June	3	No File
34	Runnymede Development Corpn. Ltd.	June	7	300- 19
35	Cadillac Fairview Corp. Ltd.	June	7	400- 50
36	Borough of Etobicoke	June	8	300- 17
37	W. Wludyka	June	8	No File
38	Mill Pond Developments Ltd.	June	9	300- 40
39	Glen Cove Developments Ltd.	June	10	300- 33
40	Centario Development Corpn. Ltd.	June	10	300- 35
	Bocabond Ventures Ltd.	June	10	300- 36
	Southdown Villas	June	10	400- 39
41	Dequincy Investments Ltd.	June	10	300- 28
42	Ventro Construction Ltd.	June	10	300- 38
43	Kenley Development Ltd.	June	10	300- 37
44	Centennial Community Association	June	10	300- 6
45	G.E.H. Shaw	June	10	300- 68
46	Queensgate Investment Ltd.	June	14	300- 46
47	Upper Nine Properties Ltd.	June	16	300- 45
48	Moonbeam Holdings Ltd.	June	16	300- 43

Submission Number	Property Owner	Date of Submission	File Number
49	Carholme Investments Ltd.	June 16	300- 44
50	Lewi and Ash et al	June 22	300- 58
51	Regional Municipality of Peel	June 22	300- 69
52	Central Ontario Glider Group	June 22	300- 73
53	Victoria Wood Development Corp. Inc.	June 23	300- 51
54	271867 Ontario Limited	June 23	300- 29
55	Save Our Trees and Streams Society	June 23	300- 4
56	City of Mississauga	June 23	300- 56
57	Ward 5, Mississauga	June 24	300- 42
58	N.H.D. Developments Ltd.	June 24	300- 22
59	Oneida Properties Ltd. et al	June 24	300- 20
60	Erindale College	June 24	300- 48
61	Margross Investments Ltd.	June 24	300- 63
62	K. Dalinda	June 24	300- 50
63	Imperial Oil Ltd.	June 24	300- 52
64	R.A. Bird	June 24	300- 39
65	A. Benvenuti	July 8	400- 92
66	A.W. Hering	July 8	400- 76
67	G. Colbeck	July 8	400- 84
68	M.J. Park	July 8	400- 6
69	J.H. Willmot	July 8	400- 7
70	Town of Milton	July 8	400- 85
71	D. Radjenovich	July 8	400- 21
	P. Oklobdzijo		
72	Wimpey Homes Limited	July 12	400- 9
73	Forestvale Residents	July 14	400- 8

Submission Number	Property Owner	Date of Submission	File Number
74	N. Pollard & Son Ltd. et al	July 15	400- 12
75	R. Greenberg	July 15	400-100
76	Lido Golf Centre	July 19	400- 5
77	Cord Contracting Ltd.	July 20	No File
78	B.P. Oil Ltd.	July 20	400- 18
79	Bruce Trail Association	July 21	400- 52
80	M. Barkin et al	July 21	400- 10
81	K. & J. Varga	July 21	400- 24
82	Frank Butty Ltd.	July 22	400- 13
	Aldercrest Developments Ltd.		
83	Bayshire Investments Ltd.	July 22	400- 15
84	Lemonville Estates	July 23	400- 97
85	R.E. Wilkinson	July 23	400- 80
86	Lawrence Farms	July 23	400- 81
87	National Sewer Pipe Ltd.	July 26	400- 14
88	Franconia Land Development Corpn. Ltd.	July 26	400- 82
89	B. Park	July 27	400- 16
90	Abele, Klein, Fisher et al	July 27	400-102
91	W. Stevenson et al	July 27	400- 4
92	City of Burlington	July 27	400- 25
93	W. Hawkins et ux	July 27	400- 26
94	Lakeport Developments Co. Ltd.	July 27	400- 27
	Burnhamgate Corpn. Ltd.		
95	Town of Oakville	July 28	400- 17
96	Sheridan Hills Development Ltd.	Aug. 3	400- 36
97	N. Richardson	Aug. 4	400- 28

Submission Number	Property Owner	Date of Submission		File Number
98	Regional Municipality of Hamilton- Wentworth and the City of Hamilton	Aug.	4	400- 30
99	E. Walsh	Aug.	4	400- 29
100	G. Norton et al	Aug.	5	400- 33
101	H. Wettlaufer	Aug.	5	400- 46
102	Clock Investments Ltd.	Aug.	5	400- 43
103	Town of Dundas	Aug.	6	400- 38
104	McMaster University	Aug.	6	400- 47
105	DBF Holdings Ltd. Demro Holdings Ltd.	Aug.	6	400- 48
106	Cadillac Fairview Corporation Ltd.	Aug.	9	400- 51
107	S. Roy Enterprises	Aug.	9	400- 78
108	G. & B. Campaigne	Aug.	10	400- 53
109	Ruko of Canada Ltd.	Aug.	10	400- 57
110	Seriphos Investments Ltd. Fosseri Investments Ltd.	Aug.	10	400- 59
111	J. Apheldt	Aug.	10	400- 65
112	J. Friedman & Deering Construction Ltd.	Aug.	10	400- 61
113	Kulan Construction & Development Ltd.	Aug.	10	400- 58
114	Brentano Investments Ltd. et al	Aug.	11	400- 62
115	Dunburlton Developments Ltd.	Aug.	11	400- 63
116	B. Latto	Aug.	11	400- 64
117	E. & B. Anderson	Aug.	11	400- 67
118	F. Hammond	Aug.	11	400-112
119	W. Dodds	Aug.	11	400-108
120	North Tyandaga Home Owners Association	Aug.	11	400-103



Submission Number	Property Owner	Date of Submission	File Number
121	Chain Gate Developments Ltd.	Aug. 12	400- 68
122	S.B. McLaughlin Associates Ltd.	Aug. 12	400- 72
123	S.B. McLaughlin Associates Ltd.	Aug. 12	300- 49
124	E.J. Liptay	Aug. 12	400- 73
125	Mazmik Developments Ltd.	Aug. 12	400-110
126	Longmoor Building Corp.	Aug. 16	400- 44
127	Adrex Holdings Ltd. (Realcom)	Aug. 16	400- 45
128	Positive Holdings Ltd.	Aug. 16	400- 44
129	C. Martin	Aug. 16	400- 69
130	Barden Investments Ltd.	Aug. 17	400- 70
131	Upper Fourth Ltd.	Aug. 17	400- 70
132	Lash Brothers Farms	Aug. 17	400- 45
133	Shipp Corporation Ltd.	Aug. 18	400- 66
	Applewood Land Investments Ltd.		
	272392 Ontario Limited		
134	281990 Ontario Limited	Aug. 19	400- 1
135	226917 Investments Limited	Aug. 19	400- 87
136	Nordin Investments Ltd.	Aug. 19	400- 83
137	C.W. Johnson	Aug. 19	400- 22
138	Samuel Sarick Ltd.	Aug. 20	400- 20
	Graduate Holdings Ltd.		
	Anec Investments Ltd.		
139	B. Wolski	Aug. 20	No File
140	Buildevco Ltd.	Aug. 20	400- 75
141	Natco Building Products Ltd.	Aug. 20	400- 89
142	J.V. Holland/D. Leggat	Aug. 24	400- 77

Submission Number	Property Owner	Date of Submission	File Number
143	Royal Botanical Gardens	Aug. 24	400- 88
144	P. McNally	Aug. 24	400- 79
145	J. Hartman	Aug. 24	400- 90
146	F. Bulow	Aug. 24	400- 93
147	H.A. Orr	Aug. 24	400- 94
148	A. Kalns	Aug. 24	400- 96
149	W.J. Schneller Enterprises Ltd. et al	Aug. 25	400- 95
150	N.H.D. Developments Ltd.	Aug. 25	400- 32
151	A.W. Thomas	Aug. 25	400-106
152	Jovic Developments Ltd. et al	Aug. 25	400- 99
153	A. Middleton	Aug. 25	400-111
154	J.L. McGuire	Aug. 26	400-104
155	Ford of Canada Ltd.	Aug. 26	400- 55
156	Langstaff Community Association	Sept. 13	500- 6
157	University of Toronto	Sept. 15	500- 45
158	A. Baker	Sept. 15	500- 58
159	Continental Kitchens	Sept. 16	500- 15
160	A.N. Swanson	Sept. 16	500- 51
161	Rickenbacher Investments Ltd.	Sept. 16	500- 59
162	Village in the Valley Ltd.	Sept. 17	500- 14
163	Town of Markham	Sept. 17	500- 53
164	Leitch Transport Ltd.	Sept. 20	500- 12
165	Schickedanz Developments Ltd.	Sept. 20	500- 28
166	The Boyle Group	Spet. 21	500- 29
167	Double "K" Farms Ltd.	Sept. 22	500- 26

Submission Number	Property Owner	Date of Submission	File Number
168	Toronto Catholic Cemetery Association	Sept. 22	500- 30
169	S. Radavanovich et al	Sept. 22	500- 27
170	Rexnord (Canada) Ltd.	Sept. 22	500- 31
171	Ward Brothers Motors Ltd.	Sept. 22	500- 32
172	J.M. Baird	Sept. 22	500- 40
173	S.D. Borins, Q.C. et al	Sept. 22	500- 38
174	Pool World Inc.	Sept. 23	500- 34
175	S.B. McLaughlin Associates Ltd.	Sept. 23	500- 39
176	Town of Richmond Hill	Sept. 23	500- 42
177	North Sheridan Holdings	Sept. 28	500- 36
178	Bond Street Investments Ltd. et al	Sept. 28	500- 35
179	Toronto Star Limited	Sept. 28	500- 46
180	Richmond Glen Developments Ltd.	Sept. 28	500- 25
181	Sylmatt Holdings Ltd.	Sept. 29	500- 64
182	Miller Paving Ltd. et al	Sept. 29	500- 41
183	Ward 3 Ratepayers, Richmond Hill	Sept. 29	500- 47
184	A.G. Laing	Sept. 29	500- 60
185	Langstaff Jail Farm	Sept. 29	500- 49
186	Keele Steeles Development Co. Ltd.	Sept. 29	500- 20
187	Thornhill Country Club	Sept. 30	500- 13
188	Menkes Developments Inc. et al	Sept. 30	500- 52
189	Citizens Advisory Group, Town of Richmond Hill	Sept. 30	500- 57
190	W. Bowles	Sept. 30	500- 43
191	Costain Estates Ltd.	Oct. 1	500- 5
192	T. Samu, Demeter et al	Oct. 1	500- 50

Submission Number	Property Owner	Date of Submission		File Number
193	L.G. Lee	Oct.	1	500- 61
194	Macksmith Holdings et al	Oct.	4	500- 11
195	A.J. Everett	Oct.	6	500- 62
196	G.M. Macdonnell	Oct.	6	500- 63
197	R. Mansfield	Oct.	6	500- 65
198	Torva Holdings Ltd.	Oct.	6	500- 67
199	A. Vasilovsky	Oct.	7	500- 68
200	N. Gianjos	Oct.	7	No File
201	Lexlaw Investments Ltd.	Oct.	18	300- 16
202	Streetsville Glen Ltd.	Oct.	18	300- 77
203	B.C. Coles	Oct.	18	300- 60
204	H.G. Ella	Oct.	18	300- 60
205	Erindale Woodlands Residents Association	Oct.	18	300- 70
206	Morenish Land Development Co. Ltd.	Oct.	19	300- 81
207	Ontfax & Batsen Investments Ltd.	Oct.	19	300- 53
208	27 West Apartments Ltd.	Oct.	20	300- 61
209	Woodfield Developments Ltd.	Oct.	20	300- 62
210	R. Tutton	Oct.	20	500- 10
211	Markborough Properties Ltd.	Oct.	20	300- 41
212	Siscoe Metals of Ontario Ltd.	Oct.	20	300- 76
213	York University	Oct.	20	500- 37
214	Ontario Golf Association	Oct.	20	200- 24
215	Mandale Realty Ltd.	Oct.	20	300- 78
216	Whitehouse Realty Ltd.	Oct.	20	300- 65
217	Beaufort Heights Residents	Oct.	20	400- 86
218	City of Toronto	Oct.	20	500- 2

Submission Number	Property Owner	Date of Submission	File Number
219	Town of Vaughan	Oct. 20	500- 54
220	Toronto Society of Architects et al	Oct. 20	200- 22
221	T. Sergo	Oct. 21	300- 74
222	Sheridan Nurseries Ltd.	Oct. 21	400-119
223	G. Elder	Oct. 21	400- 19
224	A. Wolski	Oct. 21	400-105
225	Stellar Construction Enterprises Ltd.	Oct. 25	400-120
226	V. Solnicki/V.Agnelli	Oct. 25	400- 35
227	O. Kozak/S. Radjick	Oct. 25	400-114
228	Watergate Investments Ltd.	Oct. 26	400- 42
229	P. Ferrier	Oct. 26	400-113
230	P. McKim	Oct. 26	400-115
231	Dell Holdings Ltd.	Oct. 26	300- 55
232	Taltosh Developments Ltd.	Oct. 27	400-117
233	S. Bleakney	Oct. 27	400-121
234	B. Passow	Oct. 27	400-122
235	J.R. Gainor	Oct. 27	500- 44
236	Cadillac Fairview Corporation Ltd.	Oct. 27	500- 66
237	Etobicoke-Mississauga Parkway Belt Ass'n.	Oct. 27	400-118
238	D. Hoerz	Nov. 3	300- 80
239	McLennan et al	Nov. 3	500- 69
240	A. Iamarino et al	Nov. 16	400-101

WITNESSES APPEARING IN CONNECTION WITH SUBMISSIONS 1-240  
(EXCLUDING PROVINCIAL PRESENTING PANEL)

<u>Name</u>	<u>Qualification/Staff Member</u>
Abilin, M.	Property Manager
Adams, D. L.	Planning Consultant
Arento, A.	Resident
Auger, L.	Planner, McMaster University
Bailey, B.	Resident
Baker, E.	Resident
Band, P.	Resident
Bartlett, J.	Resident
Batutsch, E.	Resident
Beasley, D. W.	Planning Consultant
Bennett, J. T.	Councillor, Dundas
Bereziuk, V.	Stellar Construction Enterprises Ltd.
Bertrilucci, G.	Resident
Blenich, D.	Resident
Boersma, A.	Realtor
Borsos, L.	Resident
Bousfield, J. R.	Planning Consultant
Boynton, G.	Resident
Britton, H.	Resident
Byberg, F.	Resident
Carone, F.	Resident
Cavallo, E.	Resident



<u>Name</u>	<u>Qualification/Staff Member</u>
Cavillo, C.	Resident
Cestnik, J.	Property Owner
Cooper, B.	Bayshire Investments Ltd.
Cooper, R.	Vice Chairman, Historical Committee
Corner, G. A.	Town Administrator, Dundas
Cronkite, W.	Resident
Cumming, J.	Planning Director, Region of Halton
Davis, W.O.	Resident
DeVries, L.	Agronomist
Dick, G.	Director Policy & Research, Etobicoke
Doerr, V.	Engineer
Dowson, C.	Planning Consultant
Drotas, D.	Planning Consultant
Duncan, A.	Consulting Engineer
Emir, M.	Victoria Wood Developments
Evans, D.	Resident
Farr, J. E.	Appraiser
Fruhworth, L.	Resident
Gander, A.	Planning Consultant
Given, D. M.	Planning Consultant
Goodwin, T.	Councillor, Town of Vaughan
Graham, M.	Planning Committee, Richmond Hill
Grant, A. R.	Wimpey Homes Ltd.
Guio, L.	Resident
Hancey, L.	Resident
Hartman, J.	Resident

<u>Name</u>	<u>Qualification/Staff Member</u>
Hay, N.	Resident
Heller, J.	Planner & Architect
Hewitt, J. B.	Appraiser
Hueton, J. W.	Electrical Engineer
Humphries, J.	Resident
Jacob, W.	Resident
Jarvis, A.	Taltosh Developments Ltd.
Jarvis, G.	Taltosh Developments Ltd.
Kelly, J.	Planning Consultant
Kellythorne, R.	Resident
Kidd, K.	Consulting Engineer
Killaby, C.	Councillor, Mississauga
King, G. W.	Consulting Engineer
Knox, J.	Engineer
Kuettel, J.	Resident
Kuettel, V.	Resident
Lardner, W. E.	Langstaff Community Association
Lash, R.	Resident
Lawrence, J. M.	Planning Consultant
Lee, S. S.	Planning Consultant
Lindsay, H.	Resident
Liptay, E. J.	Resident
Maio, S.	Resident
Martin, C.	Resident
Martin, P.	Planning Consultant

<u>Name</u>	<u>Qualification/Staff Member</u>
Martini, M.	Planning Consultant
McDonald, L.	Property Owner
McKay, K.	Resident
McKenzie, W.	Resident
McPherson, I.	Resident
Metcalfe, J.	Engineer
Mitchell, W.	Ford of Canada
Montague, J.	Planning Consultant
Morris, R.	Toronto Star
Mroz, E. M.	Transportation Engineer
Napier, D.	Resident
Nightingale, P. L.	Architect
Norton, A.	Resident
Ordrey, W.	Resident
Orfus, H.	Windom Investments Ltd.
Pearson, N.	Planning Consultant
Peel, H. R.	Planning Consultant
Percador, C.	Resident
Petschar, H.	Planning Consultant
Pollard, R.	N. Pollard & Son Ltd.
Pound, M.	Planning Consultant
Powadiuk, R.	Resident
Quinn, V.	Quinn Maintenance Ltd.
Quinn, W.	Planning Consultant
Richardson, N.	Resident
Rick, W.	Resident

<u>Name</u>	<u>Qualification/Staff Member</u>
Robinson, E. A.	Principal, Erindale College
Rogers, F.	Realtor
Rogers, J.	Planning Consultant
Rotman, L.	Chadwill Coal Co. Ltd.
Russell, J.	Cord Contracting Ltd.
Ryan, F.	Ryan Brothers
Sabiston, J.	James Sabiston Ltd.
Sarabura, J.	Resident
Schaeffer, S.	Cadillac Fairview
Schickedanz, G.	Schickedanz Developments Ltd.
Shinagl, R.	Resident
Schneller W. J.	W. J. Schneller Enterprises Ltd.
Schwass, R.	Dean, York University
Sellars, A.	Arborist
Sepajack, J.	Planner
Shearer, J.	Resident
Simpson, R.	Resident
Smith, E. S.	Macksmith Holdings Ltd.
Solnicki, V.	Property Owner
Sorenson, W. L.	Planning Consultant
Spear, J.	Resident
Stefan, K.	Resident
Stong, A.	M. P. P.
Strong, R.	Landscape Architect
Suter, H.	Resident
Therrien, L.	Resident

<u>Name</u>	<u>Qualification/Staff Member</u>
Tosic, P.	Appraiser
Towsely, A.	Planning Consultant
Tress, R. G.	Consulting Engineer
Vickers, D. R.	Resident
Weinstein, P.	Town Planner, Markham
Welch, M.	Planning Consultant
Weston, P. J.	Community Planner
White, H.	Planning Consultant
Wiktorczyk, J.	Stellar Construction Enterprises Ltd.
Williams, D.	Planning Consultant
Williams, J. A.	Engineer
Wilson, S.	Costain Estates Ltd.
Woodward, T.	Resident
Wludyka, W.	Resident

List of Exhibits for Parkway Belt West Hearings

1. Order-in-Council establishing Planning Area (Ontario Regulation 472/73)
2. Confirmation of Regulation by Legislature
3. Amendment to Ontario Regulation 472/73 by Ontario Regulation 744/73
4. Copy of Regulation contained in Votes and Proceedings
5. Ontario Regulation 399/75
6. Copy of Ontario confirmation of Regulation (Votes and Proceedings)
7. Report of the Parkway Belt West Interested Groups and Residents Advisory Committee (March 1975)
8. Report of the Municipal Advisory Committee on the Proposed Parkway Belt West Plan (July, 1975)
9. Copy of a letter dated May 26, 1975, from M. Dunnill to all municipalities
10. Copy of a letter dated January 16, 1976, from Parkway Belt West to all municipalities
11. Copy of an advertisement and a list of newspapers and draft plan
12. Copy of an advertisement of the Notice of Public Hearing and dates of publication and list of newspapers signed by the Hearing Officers
13. A letter dated 29th April, 1976, signed by the Treasurer of Ontario making appointments of those presenting the plan before the Hearing Officers.
14. List of documents and material made available to the public by requirement of Section 6, Subsection 5 of the Ontario Planning and Development Act 1973.
15. Government Policy for Development Planning in Ontario - Parkway Belt West (June 1973)
16. (a) and (b) Submissions by D.F. Taylor (3rd May, 1976)
17. Submission by F. Norman (3rd May, 1976)
18. Submission by R. Murray (3rd May, 1976)
19. Design for Development - The Toronto-Centred Region (May 1970)
20. Brochure - Parkway Belt West 1976



21. (a) Preliminary Draft - Parkway Belt West Plan  
(December 1974)  
(b) Appendix - Parkway Belt West Plan (December 1974)
22. Central Ontario Lakeshore Urban Complex (COLUC) Task  
Force Report (December 1974)
23. MTARTS - Choices for a Growing Region (November 1967)
24. Niagara Escarpment Study (June 1968)
25. Design for Development - Status Report on the Toronto-  
Centred Region (August 1971)
26. Parkway Belt System (October 1971)
27. Parkway Belt West Task Force System Towards Implementation  
(May 1972)
28. Design for Development Phase III (mid-June 1972)
29. Save the Escarpment (Report of the Niagara Escarpment  
Task Force) (December 1972)
30. (Bhi Report) An Environmental Study to Select Hydro Trans-  
mission Corridors for the Solandt Commission (September  
1973)
31. Report of the Solandt Commission - "Closing the Generation  
Gap" (March 1974)
32. Development Planning in Ontario - The Niagara Escarpment  
(June 1973)
33. (a) Interim Draft Parkway Belt West Plan (May 1975)  
(b) Supplementary Appendix (May 1975)
34. Report of the Ministry of the Environment on Central York/  
Pickering Water and Sewage Works (McLaren Report) (May 1973)
35. Ministry of Government Services - Summary of Purchases,  
Parkway Belt West Programme (June 1974 to 31st March, 1976)
36. Cost Analysis - Land to be Acquired for Public Use (20th  
May, 1976)
37. Remark by the Honourable William G. Davis, Prime Minister  
of Ontario RE: Compensation (10th December, 1973)
38. Copy of Hansard containing remarks by the Prime Minister  
(11th December, 1973)
39. Design for Development - Toronto-Centred Region Programme  
Statement by the Hon. the Treasurer (March 1976)

40. (a) Volume 1 - Ontario Changing Population (March 1976)  
(b) Volume 2 - Ontario Changing Population (March 1976)
41. Brief by S. Paton RE: Bayshire Investments Limited
42. Brief by Toronto Real Estate Board
43. Brief for Double "K" Farms
44. (a) Brief from the Region of Haldon  
(b) Supporting maps
45. Brief by Frank McKechnie
46. Four excerpts from Hansard dated 12th, 21st, and 22nd June, 1973
47. Plan and overlay showing Parkway Belt, valleys and water course
48. Copy of a speech by the Honourable John White (March 1974)
49. Submission by Runnymede Development Corporation Limited
50. Ministry of Transportation and Communications' 1st March, 1976  
(a) Report of Multiple Use Rights-of-Way  
(b) Report of Multiple Use Rights-of-Way (Appendices)
51. Brief by J.S. Farquharson, O.C.
52. Statement by the Hon. the Treasurer RE: Compensation 18th May, 1976)
53. Table illustrating analysis of the complementary use areas in Parkway Belt West
54. Highway study Simcoe York and Ontario Counties
55. Highway plan study Toronto Area, Western Section 1970
56. Brief by B.T. Darch  
(a) Qualifications and slides
57. Brief by T. Beckett  
(a) Slides RE: Hydro corridors
58. Seven resumes of qualifications of present panel appearing before Hearing Officers
59. Provincial summary of D.F. Taylor's presentation of 20th May, 1976
60. Presentation to Woodbridge Sector Hearing by D.F. Taylor (25th May, 1976)

61. Copy of letter dated 15th January, 1976, from the Hon. the Treasurer to W.R. Winnicki
62. Submission of J.W. Beaton
63. S. Messih's presentation in 2 parts RE: Airport Minibelt and part of the Northern Link between Martin Grove Road and Highway 400, and sketches and slides
64. Brief of N.H. Solmon
65. Brief of H.M. Pollit
66. Copy of Ontario Regulation 394/76
67. Brief of Gary Smith RE: Chadwill Coal Company Limited
68. Road plan showing Centennial Park, Chadwill Coal's lands and Hydro right-of-way to the South
  - (a) Additional road plan showing Eglinton connection to Highway 401
69. Scheme IV, representing Chadwill's intent to make industrial use of its property
70. Plan showing the land of Enterprising Development
71. Submission by the Region of Peel
72. Map accompanying Exhibit No. 71 showing Parkway Belt within the Region of Peel with existing and proposed boundaries shown
73. Plans showing O'Neil property
74. Historical background of Valentine property
75. Brief of Graham RE: Algonquin Building Credits Ltd.
76. Brief of Bousfield RE: Cape Horn Ltd.
  - (a) Map showing Cape Horn lands
  - (b) Aerial photo showing Cape Horn lands
77. Notice of Public Meeting of Etobicoke Planning Board (28th April, 1976)
78. Copy of District 9 Plan, Borough of Etobicoke
79.
  - (a) Planning Report of the Etobicoke Planning Board (16th April, 1974)
  - (b) Resolution of the Borough Council to implement above (29th April, 1974)
80. Planning Report dated 22nd July, 1975 (Borough of Etobicoke)

81. (a) Plan of Survey of Glen Ash Developments (10th October, 1955)  
(b) Second plan of survey of Glen Ash Developments
82. (a) Copy of a letter dated 7th May, 1971 from Glen Ash Developments to the Ministry of Transportation and Communications  
(b) Copy of a letter dated 12th May, 1971, from the Ministry of Transportation and Communications to Glen Ash Developments  
(c) Copy of a letter from the Ministry of Transportation and Communications to Goodman (18th October, 1971)  
(d) Copy of a letter from Goodman to the Ministry of Transportation and Communications (20th October, 1971)  
(e) Copy of an offer to purchase (22nd March, 1972) from the Ministry of Transportation and Communications to Glen Ash Developments
83. Brief of Gander for Paramount Development Corporation Limited
84. Map of Northwest Sector, Borough of Etobicoke Land Use Study showing the Paramount property
85. Copy of a letter dated 8th May, 1970, to the Borough of Etobicoke from Paramount RE: Public Meeting held on the industrial uses
86. Valuation as of 31st December, 1971, for Cape Horn property
87. Brief for Markpal Holdings Limited by John Bousfield
88. Original plan of Markpal Holdings
89. Building site plan relating to Exhibit No. 88
90. Final prepared plan
91. Site Plan for Exhibit No. 90
92. Copy of Official Plan Amendment No. 222 (Etobicoke)
93. Submission on behalf of Golf Valley Developments
94. Petition and Brief from the Malton Residents Malport Resistance Group Inc.
95. Two Notices of Application for Enquiry regarding Cadillac property
96. Notices of Hearing referred to in Exhibit No. 95  
(a) Report of Inquiry Officer to Decision by Minister.
97. Brief of Cadillac Fairview Corporation Limited (File No. 400-50)  
(a) Coloured map as shown in Exhibit No. 97

98. Aerial map showing Parkway Belt  
(a) An overlay to Exhibit No. 98 showing alternate routes in vicinity of Sir Winston Churchill Boulevard and Highway 401
99. Map No. 1 of the Solandt Commission enquiry showing subject Cadillac properties specifically marked
100. Statement of Ministry of Energy adopting Solandt Report (11th July, 1974)
101. Location map showing sequence of development South of Parkway Belt and East of Sir Winston Churchill Boulevard
102. Comparative cost of two routes by Shawinigan Engineering Ontario Limited
103. Estimate of value of land for alternate routes
104. Brief by Runnymede RE: Sir Winston Churchill Boulevard Property (File No. 300-19)
105. Brief by Runnymede RE: Claireville property (File No. 300-19)
106. Brief by Runnymede RE: Airport Road property (File No. 300-19)
107. Aerial photo with 2 overlays showing Sir Winston Churchill Drive, Parkway Belt and various corridors  
(a) Cross-sections of locations shown on Exhibit No. 107
108. Aerial photo of Claireville site  
(a) Two overlays for Exhibit No. 108
109. Aerial photo showing Runnymede site at Airport Road property plus two overlays
110. Ministry of Natural Resources Draft Report RE: Policies and Programmes
111. Rationale for Preservation of Tableland strip in Parkway Belt by I. Veitch
112. Report by the Borough of Etobicoke on the Interim Draft Parkway Belt West Plan
113. Copy of a letter dated 22nd February, 1974, to the Hon. R. Welch from the Borough of Etobicoke with attached enclosures
114. Letter dated 29th August, 1975, from the Borough of Etobicoke to the Hon. D. McKeough with attached enclosures
115. Letter dated 10th October, 1975, from the Borough of Etobicoke to Kevin Lethbridge with attached enclosures
116. Letter dated 25th February, 1976, from the Borough of Etobicoke to Kevin Lethbridge with attached enclosures



117. Memorandum to the Chairman of the Planning Board and the members from the Borough of Etobicoke Planning Department
118. Parkway Belt Study by the Planning Department of the Borough of Etobicoke
119. Copy of a letter dated 30th March, 1976, from D.R. Steele, Q.C. to Parkway Belt Hearing Secretary RE: Request of the Corporation of Etobicoke  
(a) Copy letter dated 1st April, 1976, from D.R. Steele, Q.C. to Parkway Belt Hearing Secretary RE: Descriptions of various parcels of land
120. Map of Centennial Park area
121. Map of North Etobicoke area
122. A land use plan showing surrounding area and Chadwill Coal site
123. Map showing existing land use at Steeles Avenue and Indian Line
124. Reply to Runnymede by D.F. Taylor (8th June, 1976)
125. Brief for Mill Pond Developments Limited
126. Brief by Montague RE: Bocabond Ventures Limited  
(File No. 300-36)  
Centario Development Corporation  
(File No. 300-35)  
Southdown Villas  
(File No. 400-39)
127. Brief by Montague RE: Dequincy Investments Ltd.
128. Brief by Montague RE: Ventro Construction Limited
129. Brief by Montague RE: Kenley Developments Limited
130. Brief for Centennial Community Association
131. Brief for G.E. Harold Shaw
132. Survey of Queensgate Investment Ltd.
133. Survey of Upper Nine Properties Ltd.
134. Aerial map with two overlays showing Moonbeam Holdings site and other land
135. Print of an aerial photo showing Carholme Investments Ltd. lands and other property (27th November, 1975)
136. Response to Provincial Comments on Exhibit Nos. 104 to 106
137. Qualifications of the witness Edward N. Mroz, P.Eng.



138. Survey of plans of J. Lewi and S. Ash
139. Brief by DeLeuw Cather for Peel Region
140. Brief from Central Ontario Glider Group
141. An Early History of Meadowvale Village in two parts
142. An aerial photo showing property of Victoria Wood Development Corporation Incorporated and Anglo York Industrial Limited
143. Survey showing lands of Victoria Wood and Anglo York and those of 271867 Ontario Ltd.
144. An aerial photo of surrounding area showing lands of Victoria Wood and Anglo York
145. Brief on behalf of Victoria Wood et al by Marshall Macklin Monaghan
146. Brief RE: Inter-Urban Transit by James Metcalfe
147. Aerial photo of properties showing proposed Inter-Urban Transit Corridor
148. Survey of trips to Toronto International Airport
149. Aerial photo showing all features of Exhibit No. 147 and alternate route for Inter-Urban Transit Corridor
150. Aerial photo showing subject and another alternative for Inter-Urban Transit Corridor combined with Hydro
151. Aerial photo similar to Exhibit No. 147 showing third alternative for Inter-Urban Transit Corridor
152. Mississauga Official Plan Review and Consultants' recommendation
153. Estimated market value of Victoria Wood and Anglo York
154. Report of the Special Programme Review, November 1975
155. Report No. 7 of the Parkway Belt Task Force (19th March, 1971)
156. Brief by the Save Our Trees and Streams (SOTAS) Society
157. Brief by City of Mississauga
158. Brief by Councillor Frank McKechnie (RE: File No. 300-42)
159. Brief of Tanzola and Sorbara on behalf of N.H.D. Developments Ltd. (File No. 300-22)

160. Brief from R.K. Webb, Q.C. RE: Oneida Properties
161. A copy of Amendment No. 1 of the Official Plan, City of Brampton  
(a) Schedule of the Official Plan, City of Brampton
162. Copy of draft plan of sub-division No. 21T75523 Industrial
163. Brief RE: Erindale College Campus
164. Brief of Stabile for Margross Investments Limited lands plus two attachments
165. Property Plan of sub-division by Margross
166. Brief for Imperial Oil Limited
167. Brief from R.A. Bird
168. Filing containing presentation of D.F. Taylor on behalf of presenting panel
169. Submission of B. Darch RE: West section of South Link
170. Presentation of T. Beckett RE: West section of North Link
171. Qualifications of D.H. Pogue
172. Submission of D.H. Pogue (Oakville-Mississauga Minibelt)
173. Presentation of G. Jackson (North section of Burlington-Oakville Minibelt)
174. Presentation by Robert Bugar (Ministry of Natural Resources) RE: South half of the Burlington-Oakville Minibelt and the escarpment Link
175. Statement of the Hon. the Treasurer to Legislature on 23rd May, 1975
176. Report No. 10 of the Parkway Belt Task Force
177. Applications for amended regulations of Parkway Belt West updated to 1st June, 1976
178. Brief of Mrs. A.W. Hering
179. Survey plan of Hering property
180. Brief by Mrs. M.J. Park
181. Brief on behalf of J.H. Willmot
182. Brief on behalf of the Town of Milton

183. Extract of the Town of Oakville Zoning By-Laws (as amended)
184. Brief for Wimpey Homes Limited
  - (a) Copy of questions and answers as between Onaschuk and Taylor
185. Appraisal memoranudm for Wimpey Homes Limited
186.
  - (a) Base Map
  - (b) Overlay showing alternate Hydro routes
187.
  - (a) Existing Parkway Oakville/Mississauga Minibelt
  - (b) Overlay showing effect of deleting Wimpey lands as per alternative No. 4
188. Amendment dated 27th January, 1972, to Parkway Belt Task Force Report No. 4
189. Map of Burlington showing Forestvale Sub-division area
190. Copy of aerial survey of Forestvale area showing Forestvale and other lands
191. Copy letter from Niagara Escarpment Commission dated 29th January, 1976, to D. Vickers
192. Brief of B.W. Morison, Q.C.
193. Aerial Photo (1974) showing lands involved in File No. 400-12
194. Extract from the Burlington Zoning By-Law
195. Copy of a letter and resolution dated 11th June, 1975, from the City of Burlington to Wasserman
196. Copy of a letter dated 2nd May, 1975, from the Ministry of Housing to Wasserman
197. Copy of a letter dated 5th July, 1976, from the Ministry of Housing to Mrs. Lambert
198. Map showing Wasserman lands
199. Ministerial response dated 15th January, 1976, to the Region of Halton RE: Region comment on interim draft
200. Ministerial response dated 15th January, 1976, to the Region of Oakville's Submission RE: Retaining Lido Golfcourse
201. Brief RE: Cord Contracting Limited
202. Report No. 4 of the Parkway Belt Task Force and amendments thereto
203. Brief for BP Refinery Canada Limited

204. Map of the B.P. property showing Westerly sector (not lands East of Bronte Creek)
205. Copy of a letter from the Ministry of Natural Resources dated 8th June, 1976, to B.P.
206. Brief for Bruce Trail Association
207. Brief by Mr. M. Finer
208. Brief from Sovereign Realty Ltd.
209. Photo of two buildings on the two parcels of Sovereign Realty land
210. Illustration No. 1 showing two parcels of Sovereign Realty land
211. Enlarged plan showing Sovereign Realty property
212. Photos of houses and auto-wreckers yard
213. Photos showing cold storage plant and warehouse fronting on Sumach Drive
214. Photos showing Highway 403 parallel with railway tracks
215. Photos of existing brick manufacturing yard and storage (approximately 10-15 acres)
216. Brief of Brian Morison RE: Butty and Alderson properties (File No. 400-13)
217. Brief by Saul Paton RE: Bayshire Investments Limited
218. Plan, dated 24th April, 1973, of Iroquois Ridge Community (Oakville Planning Board)
219. Copy of Registered Plan No. M.155 (30th March, 1976)
220. Copy of Registered Plan No. M.156 (30th March, 1976)
221. Letter dated 22nd June, 1976, to Cooper from Cumming
222. Copy of a letter dated 23rd June, 1976, from Carma Developers (Ontario) Ltd. RE: Value of property 2000 feet West of limit of Parkway Belt (comparatives)
  - (a) Copy of a deed regarding 94.546 acres of Carma land
  - (b) Copy of a deed regarding 23.762 acres of Carma land
223. Sketch showing location of upland hardwood woodlots as determined by the Ministry of Natural Resources (Bayshire)
224. Report by Alfred Sellers dated 14th June, 1976

- 225. Copy of an aerial photo showing Bayshire lands as divided by Sellers as to tree classification
- 226. Brief by Alan Gander on behalf of Bayshire
- 227. Copy of an aerial photo plotting certified information regarding Bayshire lands and Parkway Belt with overlay
- 228. Extracts from Oakville Official Plan, figures M and Q
- 229. Brief on behalf of shareholders of Lemonville Estates Incorporated
- 230. Brief by R.B. Newell
- 231. Brief for National Sewer Pipe Ltd.
- 232. Copy of an aerial photo taken prior to development of Forestville
  - (a) Copy of an aerial photo taken after development of Forestville
- 233. Brief by Planistics Group for Frankonia Land Developments Corporation Limited
- 234. Illustration of Pleasantview lands
- 235. Parkway Belt West and Pleasantview survey
- 236. Feasability Plan in more detail
- 237. An excerpt of a report of the Regional Planning staff of Hamilton-Wentworth dated 2nd July, 1976
- 238. Plan and Engineering Report prepared by the Region of Hamilton-Wentworth Planning staff for Dundas
- 239. Copy of a letter dated 23rd September, 1974, from John White to A.S. Blott
- 240. Copy of a letter from the Hon. the Treasurer to Planistics Group dated 22nd October, 1975
- 241. Plan prepared by the Province illustrating the 21 lots available for construction
- 242. Brief of Mrs. Betty Park
- 243. Brief regarding Abele, Klein & Fisher properties
- 244. Plan of survey showing Abele, Klein & Fisher property
- 245. Agreement of purchase and sale of the Abele, Klein & Fisher property
- 246. Survey of Stevenson property

247. Brief on behalf of the City of Burlington
248. Brief from J.C. Pelech
249. Brief on behalf of Lakefort Development Company and the Burnhamgate Corporation Limited
250. Photo reference of study area related to Map No. 2 in Burnhamgate (Exhibit No. 249)
251. Brief of the Corporation of the Town of Oakville
252. Brief on behalf of Sheridan Hills Developments Limited  
(a) Exhibits for Brief
253. Copy of an aerial photo showing Sheridan lands and others dated 1975
254. Brief on behalf of Norman R. Richardson
255. Brief on behalf of the Regional Municipality of Hamilton-Wentworth
256. Brief on behalf of the City of Hamilton
257. Survey of the Evelyn Walsh property
258. Copy of a Registered Plan No. 62R-823 showing the division into 6 lots
259. A plan showing the location of houses in the area of the Walsh property and surrounding residential dwellings
260. Brief on behalf of Grant Norton
261. (a) (b) (c) (d) (e) are 5 photos showing residence of Grant Norton's brothers and self
262. Brief RE: Wettlaufer property
263. Brief for Clock Investments Limited
264. Map showing Clock Investments lands
265. Inventory of existing park lands in the City of Burlington
266. Proposed park acquisitions by the City of Burlington
267. A copy of a letter by the Hon. the Treasurer dated 15th January, 1976, to the Clerk, City of Burlington (in response to the Clerk's submission RE: Interim Draft Plan)
268. Brief on behalf of the Town of Dundas
269. Brief from McMaster University



270. Survey of the central campus of McMaster University
271. Survey of the western campus of McMaster University
272. Amendment to zoning By-Law No. 6593 of the City of Hamilton relating to McMaster University land
273. Brief on behalf of D.B.F. Holdings and Demro Holdings
274. Brief on behalf of Cadillac Fairview Corporation Limited (File No. 400-51)
275. Qualifications of J.A. Williams, P.Eng.
276. Working drawings for three alternative routes suggested by J. Bousfield RE: Cadillac Fairview property
277. Brief on behalf of Cadillac Fairview RE: South Link through Erin Mills (File No. 400-51)
278. Brief on behalf of Samuel Roy Enterprises
279. An aerial photo showing existing developed areas
280. Map showing settlement capability
281. S. Roy recommendation for an alternative development plan
282. Proposed plan of Sub-division of B. Campaigne
283. Copy of a letter dated 26th May, 1976, from the Halton Conservation Authority to Campaigne
284. Copy of a letter dated 25th August, 1975, from the Township of Waterdown to the Ministry of Housing
285. Report of the staff of the Hamilton-Wentworth Planning Department dated 22nd October, 1975 RE: Campaigne property
286. Copy of a letter dated 14th May, 1975, from the Hon. G. Kerr to B. Campaigne with attachments
287. Brief of Ruko of Canada Ltd.
288. Copy of a letter dated 3rd May, 1976, from Kellermann & Shier to W.E. Bullock
289. Brief for J. Afheldt
290. Brief on behalf of Kulan Construction & Development Limited
291. Map No. 7 with alternate route for Hydro (Brentano Investment Ltd.)
292. Alternative No. 1 of Parkway Belt Task Force's Report of August, 1970

293. Alternative No. 2 of Parkway Belt Task Force's Report of August, 1970
294. Parkway Belt Task Force's Map of the Report of 27th April, 1972
295. Brief of Brentano Investment Ltd.
296. Brief on behalf of Dunburlton Developments Limited
297. Brief RE: Latto property
298. Brief on behalf of Eloise and Bernice Anderson
299. Brief and a map submitted on behalf of F. Hammond
300. Brief on behalf of William Dodds
301. Brief of Burlington North Tyandaga Resident's Association
302. Copy of the Judgement of the Divisional Court RE: Chadwill Coal case
303. Map showing the McLaughlin lands in Oakville
304. Map showing the McLaughlin lands in Mississauga
305. Survey of the Liptay lands (Richview Golfcourse)
306. Brief RE: Liptay land
307. Survey of Mazmik Developments Limited lands
308. Brief on behalf of Mazmik Developments Limited
309. Map of area showing existing services West of Brant Street and North to Highway 5
310. Map showing storm sewer service area and design
311. Map showing sanitary sewer service area and design
312. Proposed draft plan of Longmoor property showing Beaufort existing plan as well
313. (a) to (h) are 7 photos plus a key map of Longmoor property
314. Ontario Municipal Board decision on the hearing of By Law No. 4000-34 (July 1972)
315. Burlington Planning Department comments regarding Interim Parkway Belt Draft dated 30th July, 1975 (see Item 7, Page 4 RE: Longmoor property)
316. 2 photos marked (a) (b) showing level nature of the Adrex Holdings Limited site (Realcom)

317. Property map of the Adrex Holdings Limited
318. Map showing the lands of Positive Holdings Limited
319. 2 photos marked (a) and (b) showing land of Positive Holdings Limited and those across the street from it
320. Coloured aerial photo showing the greater portion of the farm of Charles Martin
321. Brief on behalf of Bardin Investments Limited
322. Brief on behalf of Upper Fourth Limited
323. Brief on behalf of Shipp Corporation Limited
324. Brief on behalf of the Shipp Corporation Thompson Road property by Dillon Associates
325. Aerial photo of Thompson Road and other properties
326. Aerial photo setting out Parkway Belt and recommended alternatives and overlay
327. Overlay to Exhibit 325: Preliminary suggested community development plan
328. Ontario Housing Corporation land assembly map
329. 4 photos of arena, arena school site, and proposed school site, marked (a) (b) (c) and (d)
330. Sketch of the arena proposed project
331. Brief of Likle DeVries on soil capabilities for Shipp
332. Aerial photo illustrating terrain analysis of Shipp land
333. An agricultural capability classification
334. Brief by A. Gander for Shipp Corporation Limited
335. Brief on behalf of 281990 Ontario Limited
336. Draft Parkway Belt West Plan showing 281990 Ontario Limited lands and Provincial Government proposals
337. Recommended alternate development plan by the owners
338. Copy of the Draft Clearview Neighbourhood Secondary Plan
339. Overlay showing preliminary alternative on Clearview Neighbourhood Secondary Plan representing the developer's proposal as distinct from that of the town

340. Letter dated 11th March, 1976, from the Hon. J.W. Snow to B.A. Browning
341. Brief on behalf of Nordin Investments Limited
342. Brief by C.W. Johnson
343. Brief on behalf of Graduate Holdings Ltd. by J. Bousfield
344. Brief of Buldevco Limited
345. Appendices Nos. 1 to 8 of Buldevco
346. Appendices No. 9 of Buldevco
347. Aerial photo showing existing conditions of the land
348. Aerial photo showing requested modification
349. Aerial photo showing the Buldevco lands
350. Brief for Natco Building Products Limited
351. Aerial photo showing Natco Building Products' property and the land to the South of it
352. Brief by The Planistics Group on behalf of Holland and Leggat
353. The future predominant land use plan for Burlington urban area (Official Plan Amendment No. 49)
354. 2 plates
  - (a) 1 large plate
  - (b) 1 small plate
355. Brief for the Royal Botanical Gardens
  - (a) List of exhibits shown on back of Brief excluding map
356. Map of arboretum properties of Royal Botanical Gardens (present and future)
357. Brief of Pat McNally
358. Copy of an aerial photo of the McNally site and surrounding area
359. Brief RE: J. Hartman property
360. Brief of D.J. Moll for Howard Orr
361. Various matters of correspondence between A. Kalns and Government authorities

362. Letter from W.J. Schneller & Associates Consultants Limited RE: Proposed plan of sub-division for part of their property
363. Brief for N.H.D. Developments Limited (File No. 400-32)
364. Brief and survey of the lands of A.W. Thomas
365. Map drawn in mid-1960 Study Plan for trunk sewers for the area North of Highway 5, Burlington
366. City of Burlington Study Plan (1970) showing completed development
367. City of Burlington base map no. 407 showing Brant Hill sewer
368. Brief for Middleton property
369. Survey of Middleton property
370. Brief RE: Lands of J.L. McGuire
371. Brief on behalf of Ford of Canada, Oakville
372. Copy of an aerial map showing the Ford site
373. Resume of Taylor's presentation in two parts
374. Presentation by R.A. Messih
375. Copy of an aerial map showing alternate routes for Parkway Belt to West of Yonge Street and East of Bayview Avenue (consisting of alternate W2, W4, W5, W6, W7)
376. Copy of limiting conditions RE: Appraisal of Langstaff and another area (does not include complementary area)
377. News Release from the Hon. the Treasurer dated 16th January, 1976, in relation to the Parkway Belt West Draft
378. Qualifications of Conroy Dowson Planning Consultant Inc.
379. Brief by Dowson on behalf of the Langstaff Community Association
380. Series of 14 photos showing the character of the existing development in the Langstaff Community
381. Series of 15 photos showing the character of the existing development in the Langstaff Community
382. Map showing 1:50000 scale, Sheet No. 30M14W
383. Copy of Markham Council Minutes and Report of the Planning Director of the Council (13th January, 1976)



384. Copy of draft Official Plan, Town of Markham unapproved as yet (public hearing being undertaken)
385. Authorisation to Mr. Lardner and to the Committee to appear before the Hearing Officers  
(a) Petition by owners and workers supporting Submission to Hearing Officers
386. Brief by Amos Baker
387. Copy of a letter from the Hon. the Treasurer to A. Baker dated 25th August, 1976
388. Brief on behalf of Continental Kitchens Limited
389. Brief for A.N. Swanson  
(a) Addition to Brief (Exhibit No. 389)
390. Brief for Rickenbacher Developments Limited
391. Map showing Unionville Southeast Quadrant including lands in the valley
392. The view looking East on Kennedy Road from the Canadian National Railway to the North limit of the Parkway Belt
393. Written authority for J. Spear to act for ratepayers of Helen Avenue, Unionville
394. Brief by the Town of Markham
395. Resolution by the Town of Markham adopting the Brief
396. Resolution by the Town of Markham dating 14th October, 1975, with respect to Langstaff
397. Brief on behalf of Leitch Transport Ltd.
398. Copy of an aerial photo showing Leitch Transport and other properties
399. Brief on behalf of Schickedanz Developments Limited
400. Brief by Mr. G. Schickedanz
401. Submission by Markham RE: Parkway Belt West dated 20th November, 1973
402. Qualifications of the witnesses Beasley and Adams
403. Brief for the Boyle Group
404. Map showing location and addresses of petitioners of the Boyle Group



- 405. Map showing alternate Highway 407 route
- 406. Survey of the Schickedanz lands
- 407. Amendment to Report No. 11 of the Parkway Task Force  
(25th January, 1972)
- 408. Brief for Double "K" Farms
- 409. Brief from Toronto Catholic Cemetery Association
- 410. Brief in support of owners in the Rockwell Area
- 411. Planning Staff of the Town of Markham's Report dated  
2nd March, 1976
- 412. Council of the Town of Markham's Resolution dated 9th  
March, 1976
- 413. Brief for Ward Bros. Motors Limited
- 414. Brief for J.M. Baird
- 415. Sketch showing the Borins' property
- 416. Brief on behalf of the Borins' land
- 417. Brief by Weir and Foulds on behalf of S.B. McLaughlin  
Associates Limited
- 418. Brief by Underwood McLellan on behalf of S.B. McLaughlin  
Associates Limited
- 419. Reproduction of the enlarged Markham draft official plan
- 420. A map showing the McLaughlin land holdings in Markham
- 421. Brief of the Town of Richmond Hill
- 422. Brief by Gander for North Sheridan Holding Development
- 423. Map showing North Sheridan lands
- 424. Brief on behalf of Bond Street Investments Ltd. et al
- 425. Brief on behalf of the Toronto Star Limited
- 426. Brief by David Williams for Richmond Glen Developments
- 427. Plan of Sub-division of Richmond Glen lands
- 428. Copy of Ontario Regulation 431/76 to permit Tribell Club  
to be built
- 429. Proposed development concept for Miller Paving Group

- 430.
431. Brief of the Ward 3 Ratepayers, Richmond Hill
432. Brief on behalf of Mrs. N. Lang
433. Brief on behalf of Keele-Steeles Development Company Limited
434. Copy of a letter from York University dated 17th May, 1976, to W.E. Bullock
435. Brief for Thornhill Country Club
436. Brief for Citizens' Advisory Group, Town of Richmond Hill
437. Brief of W. Bowles
438. Sketch RE: West of Yonge Street only
439. Brief for Costain Estates Limited
440. Copy of Amendment No. 56B Township of Markham Official Plan
441. Appraisal Report prepared October 1974, establishing the market value of Costain lands as of 31st March, 1974, and an appraisal made for the purpose of a Debenture Issue 1974/75
442. Brief of S. Wilson, Manager, Costain Estates Limited
443. Resolution of Markham Township RE: Exemptions of properties listed in Submission 192 (File No. 500-50)
444. Plan showing the lands of Samu and Demeter in red
445. Plan showing fill area next to the Rouge River
446. Brief of Mrs. A.K. Luxemberger
447. Brief of L.G. Lee
448. Argument of W.R. Hitch
449. Brief of Mr. W.E. Lardner on behalf of Langstaff Community
450. Legal Submissions by T.P. McIver
451. Brief of Beasley and Adams on behalf of Macksmith Holdings Ltd.
452. Land ownership plan of Brown's Corners Industrial Area
453. Brief of E.S. Smith for Macksmith Holdings Ltd.

- 454. Brief of H. Orfus on behalf of Windom Investments Limited
- 455. Resolution from the Region of York and Strategy Statement
- 456. Brief by A.J. Everett
- 457. Brief by G.M. Macdonnell
- 458. Brief of Richard Mansfield for his wife
- 459. Argument by J.S. Farquharson, Q.C. for Costain Estates Limited
- 460. Brief by Bousfield for Torva Holdings Ltd.
- 461. Brief by J.A. Williams RE: Alternate route for Hydro
- 462. Appraisal Report by James E. Farr for Torva Holdings Ltd.
- 463. Submissions by J.S. Farquharson, Q.C. for Torva Holdings Ltd.
- 464. Brief by Michael Welch for Lexlaw Investments Ltd.
- 465. Map of the Lexlaw Investments Ltd. and other property marked in orange
- 466. Report by Montague and Associates RE: Siscoe Metals of Ontario Limited and Lexlaw Investments Ltd.
- 467. Brief for Dorothy R. Coles
- 468. Brief for the Ella property
- 469. Brief for Erindale Woodlands Residents' Association
- 470. Brief of J. Rogers on behalf of W.B. Sullivan Construction
- 471. Schedule B to By-Law 5500 showing residential zone on Morenish lands
- 472. Proposal of Batsen and Ontfax Investment Ltd. for their lands
- 473. Parkway Co-Operative Farms concept
- 474. Brief by Watson RE: Woodfield Developments Limited
- 475. Survey of Woodfield Developments Limited
- 476. Copy of an aerial photo showing the general area of Woodfield Developments Limited lands at the scale of 200 feet to the inch
- 477. Brief of the Ontario Golf Association

478. Resolution of the City of Brampton dated 12th October, 1975
479. Key map showing the location of Mandale Realty Limited properties
480. Brief RE: Mandale Limited
481. Written submission on behalf of Whitehouse Realty Ltd.
482. Brief on behalf of R. Putns
483. Brief from Hamilton Society of Architects
484. Brief from Toronto Society of Architects
485. Brief RE: Sergo property
486. Survey of Sergo property
487. Plan of expropriation of Sergo property
488. Communication from the Planning Department of Mississauga  
RE: Proposed use of Sergo property
489. Excerpt from Official Plan and Map RE: Agricultural use  
of Sergo property (page 7)
490. Appendix 3 Page 2 of the Mississauga Official Plan
491. Copy of a letter dated 5th September, 1975, from Z. Weing  
to Stanfield
492. A letter from the Ministry of the Environment to Hahn  
dated 30th September, 1976
493. Communication for Region of Peel to Thomson dated 10th  
March, 1975
494. Letter from the Ministry of Transportation and Communications  
dated 28th September, 1976, to Hahn RE: Malport
495. Correspondence relating to Sergo property
496. Excerpt from Mississauga By-Law RE: Lot frontages and  
minimum depths
497. Brief RE: Sheridan Nurseries property
498. Brief on behalf of A. Wolski
499. Detailed sketch showing both parcels of land in ownership  
of Stellar Construction and R. Pyne et al
500. Communication to G.M. Pyne from the Ministry of Housing  
dated 9th February, 1976
501. Excerpts from previous M.M. Dillon's submission filed on  
behalf of 281990 Ontario Limited.

- 502. Financial details of properties of R. Pyne et al
- 503. Brief on behalf of V. Agnelli and V. Solnicki
- 504. Concept Plan for recreation -- residential development on land of Agnelli and Solnicki
- 505. Study of proposed development
- 506. Partial site plan and typical unit plan of Agnelli and Solnicki property
- 507. Brief on behalf of Kozak and Radjick
- 508. Brief on behalf of Watergate Investments Limited
- 509. Contour map of Watergate Investments Limited lands -- Lot 12 only
- 510. Brief of P. McKim
- 511. Brief of Meredith McKim
- 512. Brief on behalf of Dell Holdings Limited
- 513. Brief on behalf of Taltosh Developments Ltd.
- 514. Agricultural Appraisal for North Sheridan by L. DeVries
- 515. Agricultural Appraisal for Carholme Investments Limited by L. DeVries
- 516. Brief for Sarah Bleakney
- 517. Brief for B. Passow
- 518. Brief for J.R. Gainor
- 519. Brief for Etobicoke-Mississauga Parkway Belt Association
- 520. Status Report of Submissions to Hearing Officers (31st October, 1976)
- 521. Update of Tables in Draft Plan to 31st October, 1976
- 522. Set of Maps showing:
  - (a) Individual submissions to Hearing Officers
  - (b) Publicly owned lands
  - (c) Central York Sewer Servicing Program
  - (d) O.H.C. Holdings
  - (e) Appendix to answer to Question 37
  - (f) Appendix to answer to Question 44
- 523. Information RE: Easements for York-Durham Sewage Works

- 524. 5 Aerial Photos showing various Industrial Lot Coverages
- 525. Brief by McLennon et al
- 526. Brief RE: Markborough Properties Limited
- 527. (a) and (b) Two briefs RE: Arthur Iamarino et al
- 528. "Ontario's Future: Trends and Options"
- 529. Questions by Hearing Officers and Answers given by Government presenting panel



1247

## IN THE SUPREME COURT OF ONTARIO

THE HONOURABLE MR. JUSTICE REID	)	FRIDAY, THE 9TH
THE HONOURABLE MR. JUSTICE CRAIG	)	DAY OF JULY,
THE HONOURABLE MR. JUSTICE J. HOLLAND	)	1976.

IN THE MATTER OF the Judicial Review  
Procedure Act S.O. 1971, Vol. 2,  
c. 48 as amended;

AND IN THE MATTER OF the Ontario  
Planning and Development Act S.O.  
1973, c. 51 as amended, and The  
Parkway Belt Planning and Develop-  
ment Act S.O. 1973, c. 53.

## B E T W E E N:

CHADWILL COAL COMPANY LIMITED,  
DELL HOLDINGS LIMITED, and  
S.B. McLAUGHLIN ASSOCIATES  
LIMITED

Applicants

- and -

A.L. McCRAE, A.B. BALL, and  
W.E. DYER, as Hearing Officers,  
THE TREASURER AND MINISTER OF  
ECONOMICS AND INTERGOVERNMENTAL  
AFFAIRS FOR THE PROVINCE OF ONTARIO,  
THE ATTORNEY-GENERAL FOR THE  
PROVINCE OF ONTARIO

Respondents

O R D E R

UPON motion made the 9th day of July, 1976 unto this  
Court by the Applicants under the Judicial Review Procedure  
Act S.O. 1971, Vol. 2, c. 48 as amended for an order as to the  
jurisdiction of the Respondents, upon hearing read the

affidavits of Lynda Catherine Elizabeth Brown, Murray Elias and William Bodrug, filed herein and upon hearing what was alleged by Counsel for the Applicants and for the Respondents herein,

1. THIS COURT DOTH ORDER that the jurisdiction of the Respondents, A.L. McCrae, A.B. Ball and W.E. Dyer, appointed as Hearing Officers pursuant to Section 6(2) of The Ontario Planning and Development Act, S.O. 1973, c. 51 is restricted to the contents of the proposed development plan called the Parkway Belt Plan.

2. AND IT IS FURTHER ORDERED that the jurisdiction of the said Respondents does not extend to receiving presentations and making representations and making recommendations that the area covered by the Parkway Belt Plan be extended to include either;

(1) areas outside the planning area as established by ministerial order,  
or,

(2) areas within the Parkway Belt Planning Area, but outside the portion of the said planning area covered by the proposed development plan as presented to the said Respondents, A.L. McCrae, A.B. Ball, and W.E. Dyer by the Respondent, the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs.

3. AND IT IS FURTHER ORDERED that the said Respondents, A.L. McCrae, A.B. Ball and W.E. Dyer are prohibited from acting in excess of the jurisdiction set forth in this order.

4. AND THIS COURT DOTH FURTHER ORDER that the Respondent, the Treasurer and Minister of Economics and Intergovernmental Affairs shall not recommend approval of a proposed development plan pursuant to Section 6(8) of The Ontario Planning and Development Act and the Parkway Belt Planning and Development Act covering areas greater than the portion of the Parkway Belt planning area set forth in the proposed development plan presented to the said Respondents, A.L. McCrae, A.B. Ball and W.E. Dyer pursuant to Section 6(5) of The Ontario Planning and Development Act.

5. AND THIS COURT DOTH FURTHER ORDER that the Lieutenant-Governor in Council shall not approve a proposed development plan pursuant to Section 6 of the said Ontario Planning and Development Act covering areas greater than the portion of the Parkway Belt Planning Area set forth in the proposed development plan presented to the said Hearing Officers pursuant to Section 6(5) of The Ontario Planning and Development Act.

6. AND THIS COURT DOTH FURTHER ORDER that the Respondents do pay to the Applicants their costs of these proceedings forthwith after taxation.

ENTERED AT TORONTO	
RECORDED	
on Film No.	348
as Document No.	1247
on	OCT 4 1976

*C. H. Huijsen*  
*Assistant Registrar*

PROVINCIAL PRESENTING PANEL  
AS NOMINATED BY  
THE HONOURABLE THE TREASURER

Ministry	Nominee
Treasury, Economics and Intergovernmental Affairs	D.F. Taylor
	R.A. Messih
	M. Dunnill
	Ms. M. Holland
	Z. Weing
Transportation and Communications	F. Norman
	C. Lumley
	D. Moule
	B. Darch
	T. Beckett
Ontario Hydro	R. Murray
	D.H. Pogue
	J.P. Dobson
	Dr. D.K. Grant
	K.R. McClymont
	A. Gusen
	L.J. Rubino
	G.B. Pearson
	T. Rusnov
	A.T. Nevill
	J.A. Service
	N.M. Thompson
	L.M. Gordon
	J.H. Midgley
	G.H. Gregory

Ministry	Nominee
	J.L. Bender
	P. Ralston
	G.E. Brown
	D.E. Horrocks
	C. Jones
	J.L. Phillips
	R.W. Miller
	F.E. Ellison
	J.E.F. Winter
	J.H. Murchison
	J.W. Simpson
	R.C. Black
Natural Resources	R.J. Burgar
	R.L. Mitton
	W.R. Grinnell
	J. Gosnell
	J.R. Williams
	S. George
Agriculture and Food	V.I.D. Spencer
	S.M. Singh
	G.W. Jackson
	D.W. Gallagher
	J.R. Rainforth
	K.W. Pinder
	J.A. Henderson
	S.A. Bailey
	R.S. Winslade

Ministry	Nominee
	M.H. Marsh
	K.B. Carbert
	D.B. McNeill
	D.H. Miles
Government Services	H.G. Ambrose
	R. Booth
	C.H. Spence
	W.A. Gray
	R.C. Wolvin
	D.E. O'Connor
	G.B. Lee
Housing	G.M. Farrow
	P. Boles
Health	Mrs. Helen Bain
Environment	M.E. Plewes
	D. Shatil
Counsel	W.S. Rogers, Q.C.
	S. Stepinac









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